

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 21 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form ~~to assist applicants in satisfying the requirements of~~ Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) BLACKBURN FARMING LLC

Mailing Address 535 GANNETT RD UNIT E BELLEVUE, ID 83313-5045

Email* _____ Phone 2084810348

Name of Representative (if any) Greg Sullivan

Mailing Address 2016 N Washington St Ste 4 Twin Falls, ID 83301

Email* greg.sullivan@brockwayeng.com Phone 208-736-8543

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☒ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

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

Current Water Right No.: 37-23083

Current Owner: BLACKBURN FARMING LLC
Priority Date: 8/1/1882
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

12.3 CFS

12.3 CFS

Annual Volume

Location of Point(s) of Diversion

BIG WOOD RIVER
BLAINE County

NE1/4SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	11.00	T01N R19E S27		NESW	40.00
T01N R19E S27		NWSW	38.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Conditions of Approval:

1. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
2. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
3. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
4. Total volume of water delivered to the field from this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
5. X27 This right is limited to the irrigation of 971.1 acres within the place of use described above in a single irrigation season.
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
8. E55 Right Nos. 37-23083, 37-23084 and 37-23085 are limited to the irrigation of a combined total of 971.1 acres in a single irrigation season.

Decreed Date: 1/6/2009

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

Current Water Right No.: 37-23084

Current Owner: BLACKBURN FARMING LLC
Priority Date: 8/1/1884
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

9.78 CFS

9.78 CFS

Annual Volume

Location of Point(s) of Diversion

BIG WOOD RIVER
BLAINE County

NE1/4SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	11.00	T01N R19E S27		NESW	40.00
T01N R19E S27		NWSW	38.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Conditions of Approval:

1. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088 and 37-23089 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
2. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
3. X27 This right is limited to the irrigation of 971.1 acres within the place of use described above in a single irrigation season.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
6. Total volume of water delivered to the field from this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. E55 Right Nos. 37-23083, 37-23084 and 37-23085 are limited to the irrigation of a combined total of 971.1 acres in a single irrigation season.

Decreed Date: 1/6/2009

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

Current Water Right No.: 37-23085

Current Owner: BLACKBURN FARMING LLC
Priority Date: 8/1/1902
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

61.2 CFS

61.2 CFS

Annual Volume

Location of Point(s) of Diversion

BIG WOOD RIVER

BLAINE County

NE1/4SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	30.00	T01N R19E S27		NESW	40.00
T01N R19E S27		NWSW	38.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Page _____ of _____

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. X27 This right is limited to the irrigation of 971.1 acres within the place of use described above in a single irrigation season.
3. E55 Right Nos. 37-23083, 37-23084 and 37-23085 are limited to the irrigation of a combined total of 971.1 acres in a single irrigation season.
4. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
5. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
6. Total volume of water delivered to the field from this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
7. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088 and 37-23089 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
8. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 1/6/2009

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

Current Water Right No.: 37-23086

Current Owner: BLACKBURN FARMING LLC
Priority Date: 10/15/1884
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

1.85 CFS

1.85 CFS

Annual Volume

Location of Point(s) of Diversion

BIG WOOD RIVER
BLAINE County

NE1/4SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	30.00	T01N R19E S27		NESW	40.00
T01N R19E S27		NWSW	38.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Conditions of Approval:

1. E55 Right Nos. 37-23086, 37-23087 and 37-23088 are limited to the irrigation of a combined total of 236.7 acres in a single irrigation season.
2. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
3. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
6. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088 and 37-23089 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
7. Total volume of water delivered to the field from this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
8. X27 This right is limited to the irrigation of 236.7 acres within the place of use described above in a single irrigation season.

Decreed Date: 1/6/2009

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

Current Water Right No.: 37-23087

Current Owner: BLACKBURN FARMING LLC
Priority Date: 6/12/1886
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

0.99 CFS

0.99 CFS

Annual Volume

Location of Point(s) of Diversion

BIG WOOD RIVER
BLAINE County

NE1/4SW1/4NW1/4 Sec. 36, Twp 02N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	30.00	T01N R19E S27		NESW	40.00
T01N R19E S27		NWSW	38.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Conditions of Approval:

1. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088 and 37-23089 are limited to the irrigation of a combined total of 971.1 acres in a single irrigation season.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
4. E55 Right Nos. 37-23086, 37-23087 and 37-23088 are limited to the irrigation of a combined total of 236.7 acres in a single irrigation season.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
6. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
7. X27 This right is limited to the irrigation of 236.7 acres within the place of use described above in a single irrigation season.
8. Total volume of water delivered to the field from this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).

Decreed Date: 1/6/2009

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

Current Water Right No.: 37-23088

Current Owner: BLACKBURN FARMING LLC
Priority Date: 6/15/1891
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

2.11 CFS

2.11 CFS

Annual Volume

Location of Point(s) of Diversion

BIG WOOD RIVER
BLAINE County

NE1/4SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	11.00	T01N R19E S27		NESW	40.00
T01N R19E S27		NWSW	38.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Conditions of Approval:

1. X27 This right is limited to the irrigation of 236.7 acres within the authorized place of use in a single irrigation season.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. Total volume of water delivered to the field from this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
6. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
7. E55 Right Nos. 37-23086, 37-23087 and 37-23088 are limited to the irrigation of a combined total of 236.7 acres in a single irrigation season.
8. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088 and 37-23089 are limited to the irrigation of a combined total of 971.1 acres in a single irrigation season.

Decreed Date: 1/14/2009

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

Current Water Right No.: 37-23089

Current Owner: BLACKBURN FARMING LLC

Priority Date: 4/1/1922

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

1.67 CFS

1.67 CFS

Annual Volume

Location of Point(s) of Diversion

BIG WOOD RIVER
BLAINE County

NE1/4SW1/4NW1/4

Sec. 36, Twp 02N, Rge 18E B.M.

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	30.00	T01N R19E S27		NESW	40.00
T01N R19E S27		NWSW	38.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Conditions of Approval:

1. E52 The rights listed below are limited to a total combined diversion rate of 88.24 cfs.
Combined Right Nos.: 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088 and 37-23089
2. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088 and 37-23089 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
3. Total volume of water delivered to the field from this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
6. Right Nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-22155 and 37-21463 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.
7. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
8. X27 This right is limited to the irrigation of 83.8 acres within the place of use described above in a single irrigation season.

Decreed Date: 1/6/2009

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

Current Water Right No.: 37-23090

Current Owner: BLACKBURN FARMING LLC
 Priority Date: 11/13/1959
 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	04/01 to 11/01	7.16 CFS	1256.8 AF
	<u>Total Diversion</u>	7.16 CFS	1256.8 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NW1/4	Sec. 17,	Twp 01N,	Rge 19E B.M.
BLAINE County				
GROUND WATER	NE1/4NE1/4NW1/4	Sec. 20,	Twp 01N,	Rge 19E B.M.
BLAINE County				
GROUND WATER	SW1/4SE1/4NW1/4	Sec. 28,	Twp 01N,	Rge 19E B.M.
BLAINE County				

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	30.00	T01N R19E S27		NESW	40.00
T01N R19E S27		NWSW	38.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Conditions of Approval:

1. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
2. Right Nos. 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
3. K06 This right is limited to the irrigation of 359.1 acres within the place of use described above in a single irrigation season.
4. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
5. Total volume of water delivered to the field from this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-263B, 37-2700, 37-21463, and 37-22155 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
8. E52 The rights listed below are limited to a total combined diversion rate of 19.65 cfs.
Combined Right Nos.: 37-23090, 37-23091, 37-23092 and 37-23093.
9. K01 Right No. 37-23093 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
10. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
11. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Decreed Date: 1/14/2009

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

Current Water Right No.: 37-23091

Current Owner: BLACKBURN FARMING LLC

Priority Date: 8/1/1960

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	04/15 to 10/31	3.61 CFS	1455.2 AF
	<u>Total Diversion</u>	3.61 CFS	1455.2 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4NW1/4	Sec. 20,	Twp 01N,	Rge 19E B.M.
BLAINE County				
GROUND WATER	SW1/4SE1/4NW1/4	Sec. 28,	Twp 01N,	Rge 19E B.M.
BLAINE County				
GROUND WATER	NW1/4SW1/4NW1/4	Sec. 17,	Twp 01N,	Rge 19E B.M.
BLAINE County				

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	30.00	T01N R19E S27		NESW	40.00
T01N R19E S27		NWSW	38.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Conditions of Approval:

1. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
2. E52 The rights listed below are limited to a total combined diversion rate of 19.65 cfs.
Combined Right Nos.: 37-23090, 37-23091, 37-23092 and 37-23093.
3. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
4. E55 Right Nos. 37-23091 and 37-23092 are limited to the irrigation of a combined total of 757.9 acres in a single irrigation season.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
6. X27 This right is limited to the irrigation of 385.2 acres within the place of use described above in a single irrigation season.
7. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
8. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
10. Right Nos. 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
11. Total volume of water delivered to the field from this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
12. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Decreed Date: 1/14/2009

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

Current Water Right No.: 37-23092

Current Owner: BLACKBURN FARMING LLC
Priority Date: 8/20/1964
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	04/01 to 11/01	8.89 CFS	1333.8 AF
	<u>Total Diversion</u>	8.89 CFS	1333.8 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NW1/4	Sec. 17, Twp 01N, Rge 19E B.M.
BLAINE County		
GROUND WATER	SW1/4SE1/4NW1/4	Sec. 28, Twp 01N, Rge 19E B.M.
BLAINE County		
GROUND WATER	NE1/4NE1/4NW1/4	Sec. 20, Twp 01N, Rge 19E B.M.
BLAINE County		

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	11.00	T01N R19E S27		NESW	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Conditions of Approval:

1. Right Nos. 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
2. Total volume of water delivered to the field from this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. E52 The rights listed below are limited to a total combined diversion rate of 19.65 cfs.
Combined Right Nos.: 37-23090, 37-23091, 37-23092 and 37-23093.
5. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
7. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. X27 This right is limited to the irrigation of 444.6 acres within the place of use described above in a single irrigation season.
9. E55 Right Nos. 37-23091 and 37-23092 are limited to the irrigation of a combined total of 757.9 acres in a single irrigation season.
10. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
11. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
12. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 1/14/2009

Page _____ of _____

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

Current Water Right No.: 37-23093

Current Owner: BLACKBURN FARMING LLC

Priority Date: 4/1/1984

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	04/15 to 10/31	2.65 CFS	611.1 AF
	<u>Total Diversion</u>	2.65 CFS	611.1 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4NW1/4 Sec. 20, Twp 01N, Rge 19E B.M.

BLAINE County

GROUND WATER

SW1/4SE1/4NW1/4 Sec. 28, Twp 01N, Rge 19E B.M.

BLAINE County

GROUND WATER

NW1/4SW1/4NW1/4 Sec. 17, Twp 01N, Rge 19E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R19E S17		SWNE	38.00	T01N R19E S17		SWNW	31.00
T01N R19E S17		SENE	40.00	T01N R19E S17		NESW	40.00
T01N R19E S17		NWSW	13.00	T01N R19E S17		SESW	26.00
T01N R19E S17		NESE	11.00	T01N R19E S17		NWSE	40.00
T01N R19E S17		SWSE	40.00	T01N R19E S17		SESE	22.00
T01N R19E S20		NENE	39.00	T01N R19E S20		NWNE	38.50
T01N R19E S20		SWNE	19.00	T01N R19E S20		SENE	40.00
T01N R19E S20		NENW	7.00	T01N R19E S20		NESE	35.00
T01N R19E S20		NWSE	1.30	T01N R19E S20		SESE	13.00
T01N R19E S21	Lot 8	NWNW	10.00	T01N R19E S21	Lot 9	SWNW	9.00
T01N R19E S21	Lot 11	NWSW	24.00	T01N R19E S21		SWSW	36.00
T01N R19E S21	Lot 12	SESW	1.20	T01N R19E S27		NENE	11.00
T01N R19E S27		NWNE	9.00	T01N R19E S27		SWNE	40.00
T01N R19E S27		SENE	11.00	T01N R19E S27		SWNW	13.00
T01N R19E S27		SENE	30.00	T01N R19E S27		NESW	40.00
T01N R19E S27		NWSW	38.00	T01N R19E S27		SWSW	40.00
T01N R19E S27		SESW	30.00	T01N R19E S27		NESE	3.80
T01N R19E S27		NWSE	36.00	T01N R19E S27		SWSE	4.00
T01N R19E S28		SWNE	14.00	T01N R19E S28		SENE	4.00
T01N R19E S28		NENW	13.00	T01N R19E S28		NWNW	29.00
T01N R19E S28		SWNW	6.40	T01N R19E S28		SENE	37.00
T01N R19E S28		NESW	22.00	T01N R19E S28		SESW	2.20
T01N R19E S28		NESE	39.00	T01N R19E S28		NWSE	39.00
T01N R19E S28		SWSE	36.00	T01N R19E S28		SESE	40.00
T01N R19E S33		NENE	40.00	T01N R19E S33		NWNE	14.00
T01N R19E S33		SENE	30.00	T01N R19E S34		NENW	0.20
T01N R19E S34		NWNW	31.00	T01N R19E S34		SWNW	15.00

Total Acres: 1291.6

Conditions of Approval:

1. The rights listed below are limited to a total combined diversion rate of 7.16 cfs.
Combined Right Nos.: 37-23090 and 37-23093.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed a total instantaneous rate of 25.8 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
4. X27 This right is limited to the irrigation of 174.6 acres within the place of use described above in a single irrigation season.
5. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. Total volume of water delivered to the field from this right along with water right nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 shall not exceed 4626.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1291.6 acres).
7. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
8. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
9. Right Nos. 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
10. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. K01 This right is an enlargement of Right 37-23090, 37-23091 & 37-23092 pursuant to Section 42-1426, Idaho Code.
12. Right Nos. 37-23090, 37-23091, 37-23092 and 37-23093 are limited to the irrigation of a combined total of 1291.6 acres in a single irrigation season.
13. E52 The rights listed below are limited to a total combined diversion rate of 19.65 cfs.
Combined Right Nos.: 37-23090, 37-23091, 37-23092 and 37-23093.
14. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Decreed Date: 1/14/2009

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☐ N/A. This application does not propose to change the place of use or nature of use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

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	
01N	19E	17			2				3	1	1	5.5		1	1			5	19.5
01N	19E	20	1	0.5	2		2.7								1	0.4		2.0	9.6
01N	19E	21							0.2					0.1					0.3
01N	19E	27	8	4.7	5	15			2			3			11.2	4.0	0.2		53.1
01N	19E	28			10	3.4		1	.5	2.0	40			0.8	4		1		26.7
01N	19E	33		1		2												1.1	3.0
01N	19E	34																	

Total Irrigated Acres to be Changed: 112.2

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|---|---|
| ☐ Change point(s) of diversion | ☒ Change place of use |
| ☐ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

This transfer will change the irrigation place of use of the water rights on this farm.

Current water rights allow the irrigation of 1,291.6 acres. A total of 50.3 acres have been set aside and not irrigated to provide mitigation volume to the local ground water district. A total 1,241.3 acres will continue to be irrigated.

C. Summary of Proposed Changes

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐ ☐		See Exhibit A		to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 2.24 cfs and/or 404 af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

Exhibit A
Water Rights

All or Part			Water Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use			Source & Tributary
X			37-23083	12.3/	Irrigation	4/15	to	10/31	Big Wood River
X			37-23084	9.78/	Irrigation	4/15	to	10/31	Big Wood River
X			37-23085	61.20/	Irrigation	4/15	to	10/31	Big Wood River
X			37-23086	1.85/	Irrigation	4/15	to	10/31	Big Wood River
X			37-23087	0.99/	Irrigation	4/15	to	10/31	Big Wood River
X			37-23088	2.11/	Irrigation	4/15	to	10/31	Big Wood River
X			37-23089	1.67/	Irrigation	4/15	to	10/31	Big Wood River
X			37-23091	3.61/1455.2	Irrigation	4/15	to	10/31	Ground Water
X			37-23092	8.89/1333.8	Irrigation	4/01	to	11/01	Ground Water
X			37-23090	7.16/1256.8	Irrigation	4/01	to	11/01	Ground Water
X			37-23093	2.65/611.1	Irrigation	4/15	to	10/31	Ground Water

89690

☒ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ N/A. This application does not propose to change the place of use.

Proposed Place of Use

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	
01N	19E	17			36				28	39	39	7.5		25	12	40	40	27	293.5
01N	19E	20	40	38	17	40	4.3								34	0.9		11	185.2
01N	19E	21						10	9.2			24	36	1.1					80.3
01N	19E	27	19	13.7	35	26			11	30	40	35	40	30	15	32	3.8		330.5
01N	19E	28			24	0.6	13	28	5.9	35	18			1.4	35	39	35	40	274.9
01N	19E	33	40	13		28													81.0
01N	19E	34					0.2	31	15										46.2

Total Irrigated Acres: 1291.6

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

No Change

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

No Change

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 37. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☒ Yes. ☐ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

No Change

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

No Change

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☒ No. The place of use for the portion to be changed will no longer be irrigated.

☐ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes

No

☐
☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov).

Label the Form as Attachment 4C-7.

☒
☐

currently used in a mitigation plan limiting the use of water under the right?

☐
☒

subject to an agreement not to divert (CREP)?

☐
☒

currently enrolled in a federal set-aside program (CRP)?

RECEIVED

MAR 21 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION**D. Local Public Interest**

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

Existing PODs, mainlines and delivery systems.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

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 of Applicant or Representative*

Print Name and Title, if applicable

Date

Signature of Applicant or Representative*

Print Name and Title, if applicable

Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ 660.00

Receipt #: 5040571

Date: 3-21-2025

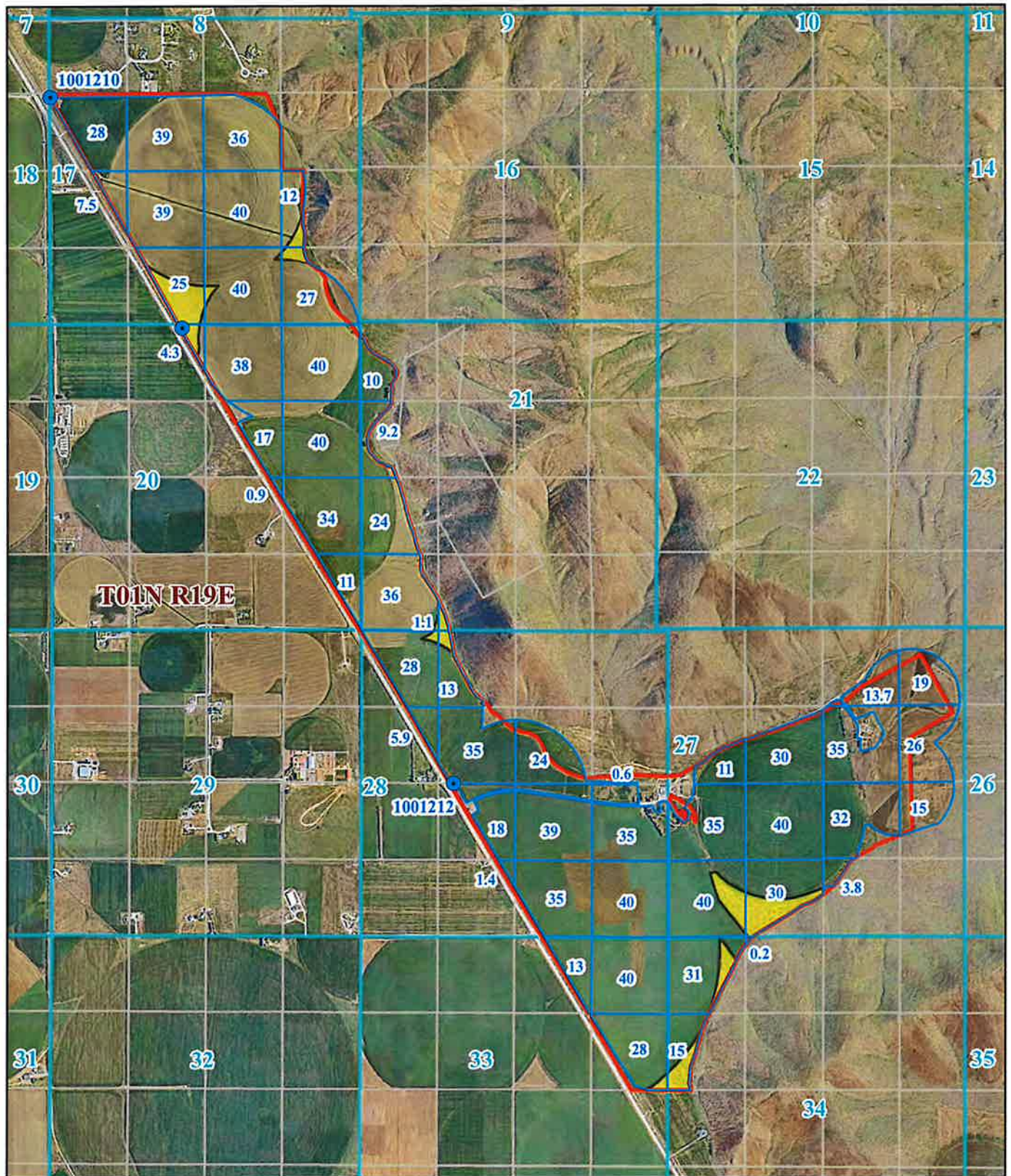
Received by: SG

Add'l Paid: \$ _____

Receipt #: _____

Date: _____

Received by: _____



0 0.375 0.75 Miles

**COVE RANCH
BLACKBURN FARMING INC**

1,291.6 Acres Allowed
1,241.3 Acres Irrigated
50.3 Acres Fallowed GWD
2023 NEARMAP AERIAL

Legend

- Wood River POD
- Ground Water Well
- QQ POU
- Irrigation_POU
- GWD Acres

LEGAL NOTICES

TRANSPORTATION DEPARTMENT
39-ZBRR-2501, Agency Omnibus ZBR
Negotiated Rulemaking promulgates
Title 02, Chapter 60; and Title 03,
Chapter 49.

IDAPA 52 – IDAHO STATE LOTTERY
52-0103-2501, Rules Governing
Operations of the Idaho State Lottery

Please refer to the Idaho Administrative
Bulletin May 7, 2025, Volume 25-5, for
the notices and text of all rulemak-
ings, proclamations, negotiated rule-
making and public hearing informa-
tion and schedules, executive orders
of the Governor, and agency contact
information.

Issues of the Idaho Administrative
Bulletin can be viewed at www.adminrules.idaho.gov/

Office of the Administrative Rules
Coordinator, Division of Financial
Management, PO Box 83720, Boise,
ID 83720-0032
Phone: 208-334-3900; Email: admin-
rules@dm.idaho.gov

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7, 2025

HAILEY ORDINANCE NO. 1345

AN ORDINANCE OF THE CITY OF
HAILEY, IDAHO, AUTHORIZING
THE EXECUTION OF THE FIRST
AMENDMENT TO THE PLANNED
UNIT DEVELOPMENT AGREEMENT
WITH MARATHON PARTNERS, LLC,
REGARDING THE DEVELOPMENT
OF THE SUNBEAM SUBDIVISION
(PHASE I) AND PHASE II; PROVIDING
FOR A REPEALER CLAUSE; AND
PROVIDING FOR THE EFFECTIVE
DATE OF THIS ORDINANCE
UPON PASSAGE, APPROVAL AND
PUBLICATION ACCORDING TO LAW

WHEREAS, the City of Hailey
desires to modify the Planned
Development Agreement with
Marathon Partners, LLC, regarding
the development of the Sunbeam
Subdivision.

WHEREAS, the City of Hailey agrees
to the terms and conditions of the
First Amendment to the Planned Unit
Development Agreement, a copy of
which is attached hereto.

WHEREAS, the parameters set
forth in the First Amendment to the
PUD Agreement, and this ordinance
will promote the public health, safety
and general welfare;

NOW, THEREFORE, BE IT
ORDAINED BY THE MAYOR AND
CITY COUNCIL OF THE CITY OF
HAILEY, IDAHO, AS FOLLOWS:

Section 1. Severability Clause.
Should any section or provision of this
Ordinance be declared by the courts
to be unconstitutional or invalid, such
decision shall not affect the validity of
the Ordinance as a whole or any part
thereof other than the part so declared
to be unconstitutional or invalid.

Section 3. Repealer Clause. All City
of Hailey ordinances or parts thereof,
which are in conflict herewith, are
hereby repealed.

Section 4. Effective Date. This ordi-
nance shall be in full force and effect
from and after passage, approval, and
publication according to law.

PASSED AND ADOPTED BY THE
HAILEY CITY COUNCIL AND
APPROVED BY THE MAYOR THIS
28th DAY OF APRIL, 2025

Martha Burke, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7, 2025

HAILEY ORDINANCE NO. 1346

AN ORDINANCE OF THE CITY OF
HAILEY, IDAHO, AMENDING THE
ANNEXATION, SERVICES, AND
DEVELOPMENT AGREEMENT OF

THE QUIGLEY FARM SUBDIVISION,
BY ADDENDUM; PROVIDING FOR
AN AMENDMENT TO THE BLOCK
DENSITY SUMMARY TABLE AND
SUBDIVISION SUMMARY TABLE
INCLUDED IN THE NOTES OF THE
QUIGLEY FARM LARGE BLOCK
PLAT REALLOCATING TWO (2)
REQUIRED COMMUNITY HOUSING
UNITS FROM BLOCK 2 TO BLOCK 9;
PROVIDING FOR SEVERABILITY
CLAUSE, A REPEALER CLAUSE AND
PROVIDING FOR THE EFFECTIVE
DATE OF THIS ORDINANCE.

WHEREAS, the City is a municipal
corporation possessing all powers
granted to municipalities under the
applicable provisions of the Idaho
Code, included the power to amend
agreements associated with subdivi-
sion layout and design to better meet
the needs of its citizenry.

WHEREAS, Quigley Farm and
Conservation Community, LLC, an
Idaho limited liability company
("Quigley") received approval of
annexation into the City of Hailey,
by Ordinance No. 1219 and associ-
ated land use entitlements as reflect-
ed in an Annexation, Services and
Development Agreement Quigley
Farm (the "Annexation Agreement")
on August 9, 2017, and recorded as
Instrument No. 645779 on August 16,
2017, in the records of Blaine County,
Idaho, and

WHEREAS, Quigley is seeking approval
to amend the BLOCK DENSITY
SUMMARY TABLE included in the
Preliminary Large Block Plat attached
as Exhibit B2 to the Annexation
Agreement and thereafter included as
the SUBDIVISION SUMMARY TABLE
in the Notes of the Quigley Farm Large
Block Plat (the "Plat") to reallocate two
(2) required Community Housing Units
from Block 2 to Block 9, and

WHEREAS, the City is willing to accom-
modate the request so long as the
total number of required Community
Housing Units within the Subdivision
remains the same; and

WHEREAS, pursuant to Section
16.B. of the Annexation Agreement,
the Agreement may be amended by
means of a written instrument exe-
cuted by both parties thereto, which
Addendum to Annexation, Services
and Development Agreement Quigley
Farm is attached hereto as Exhibit A,
and made a part hereof, and

WHEREAS, Idaho Code Section
67-5511A mandates that each govern-
ing board may, by ordinance adopted
or amended in accordance with the
notice and hearing provisions provid-
ed by Idaho Code section 67-5509,
adopt or amend such Development
Agreement.

NOW, THEREFORE, BE IT
ORDAINED BY THE MAYOR AND
THE CITY COUNCIL OF THE CITY
OF HAILEY, IDAHO, AS FOLLOWS:

SECTION 1. The Annexation,
Services and Development Agreement,
Quigley Farm is amended by
Addendum pursuant to the Exhibit
A attached hereto and made a part
hereof whereby (1) The Number of
Community Housing Units required
in Block 2 of the Subdivision shall be
reduced from 2 to 0; (2) The num-
ber of Community Housing Units
required in Block 9 of the Subdivision
shall be increased from 7 to 9; and
(3) The changes in the allocation of
required community housing units
among Blocks within the Quigley Farm
Subdivision shall be reflected in the
plats and development plans for the
impacted Blocks.

SECTION 2. Severability Clause.
Should any section or provision of this
Ordinance be declared by the courts
to be unconstitutional or invalid, such
decision shall not affect the validity of
the Ordinance as a whole or any part
thereof other than the part so declared
to be unconstitutional or invalid.

SECTION 3. Repealer Clause.
All City of Hailey ordinances or parts
thereof, which are in conflict herewith,
are hereby repealed.

SECTION 4. Effective Date. This
Ordinance shall be in full force and
effect from and after its passage,

approval, and publication according to
law.

PASSED AND ADOPTED BY
THE HAILEY CITY COUNCIL AND
APPROVED BY THE MAYOR THIS
28TH DAY OF APRIL, 2025.

Martha Burke, Mayor

Attest:

Mary Cone
Hailey City Clerk

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7, 2025

HAILEY ORDINANCE NO. 1347

The following is a summary of the
principal provisions of Ordinance No.
1347 of the City of Hailey, Idaho, duly
passed and adopted April 28, 2025, by
the City Council and Mayor of the City
of Hailey:

AN ORDINANCE OF THE CITY
OF HAILEY, IDAHO, AMENDING
TITLE 17: ZONING REGULATIONS,
CHAPTER 17.04: ESTABLISHMENT,
PURPOSES AND USES WITHIN
ZONING DISTRICTS, ARTICLE M:
TOWNSIDE OVERLAY (TO) ZONING
DISTRICT, SECTION 17.04M.060,
OF THE HAILEY MUNICIPAL
CODE BY ADDING PARAGRAPH
"J," ITEMS J.1, J.2, AND J.3;
PROVIDING FOR FLEXIBILITY OF
MAXIMUM BUILDING HEIGHT AND/
OR MAXIMUM LOT COVERAGE
FOR DEVELOPMENT PROJECTS
PRESERVING A HISTORIC
COMMERCIAL OR RESIDENTIAL
STRUCTURE; PROVIDING FOR A
SEVERABILITY CLAUSE;
PROVIDING FOR A REPEALER
CLAUSE; AND PROVIDING FOR
THE EFFECTIVE DATE OF THIS
ORDINANCE

Hailey Ordinance No. 1347 amends
Hailey Municipal Code as follows:

Sections 1 Amends Hailey Code Title
17, Zoning Regulations, Chapter 17.04,
by modifying Section 17.04M.060,
to include the addition of paragraph
J: PRESERVATION OF HISTORIC
STRUCTURES, Items J.1: BULK
REQUIREMENT FLEXIBILITY, J.2:
SPECIFIC STANDARDS, AND J.3:
OTHER REQUIREMENTS.

Section 2 provides a savings and sev-
erability clause.

Section 3 provides a repealer clause.

Section 4 provides an effective date.

The full text of Ordinance No. 1347
is available at Hailey City Hall at 115
South Main Street, Suite H, Hailey,
Idaho, 83333 and will be provided to
any citizen upon request during regular
business hours.

CERTIFICATION OF CITY
ATTORNEY

I, the undersigned Attorney at Law,
as attorney for the City of Hailey,
Idaho, hereby certify that I have read
the foregoing summary of Ordinance
No. 1347 of the City of Hailey, that
I have compared it to the full text of
Ordinance No. 1347, and that in my
opinion, the above summary is true
and complete and provides adequate
notice to the public of the contents of
said Ordinance.

Dated this 28th day of April, 2025.

Christopher P. Simms, Hailey City
Attorney

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7, 2025

LEGAL NOTICE
BLAINE COUNTY BOARD OF
COUNTY COMMISSIONERS
June 3, 2025

On Tuesday, June 3, 2025, the
Blaine County Board of County
Commissioners will hold a public
meeting upstairs in the Old County
Courthouse located at 208 1st Ave.
So., in Hailey. Items on their agenda

include the following:

1:30 p.m. ACTION ITEM: Resolution
for Fee Schedule: Public hearing on
and consideration of proposed amend-
ments to the fee schedule for applica-
tions and permits submitted pursu-
ant to Blaine County Code Title 7
(Building Regulations), Title 9 (Zoning
Regulations) & Title 10 (Subdivision
Regulations). Certain fees are pro-
posed to be changed/increased. Some
new fees are proposed. This hearing
is scheduled to solicit public comment
regarding the proposed fees and to
explain the reasons for such proposed
action.

This meeting is open to the public
and may attend in person or by web
access. The meeting agenda will be
posted to the Blaine County web-
site at <https://www.co.blaine.id.us/>
AgendaCenter by the Thursday
prior to the hearing. Please check
the meeting agenda for further
instructions for digital web access.

Materials are available at Land Use
and Building Services located at 219
First Avenue South, Suite 208 in Hailey
and on the Blaine County website at
<https://www.co.blaine.id.us/199/>
County Commissioners Hearing-
Materials. For adequate consideration,
written comments in excess of one
page should be forwarded to Blaine
County at least 4 days prior to the
public hearing by mail, e-mail to
gcourter@co.blaine.id.us

Si habla español y necesita asisten-
cia para leer o entender lo que se
discute en esta carta, Por favor de
llamar a la Oficina de Uso de la Tierra
al (208) 788-5570 o mande un correo
electrónico gcourter@co.blaine.id.us
y pregunte por Sonia Lopez.

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7 & 28, 2025

LEGAL NOTICE
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF IDAHO

The following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

37-23593
BLACKBURN FARMING LLC
535 GANNETT RD UNIT E
BELLEVUE, ID 83313-5045
Point of Diversion NESW S17
T01N R19E BLAINE County Source
GROUND WATER Tributary
Point of Diversion NESW S17
T01N R19E BLAINE County Source
GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.33
CFS

Total Diversion: 0.33 CFS
Date Filed: 05-08-2024
Place Of Use: DOMESTIC
T01N R19E S17 SWNE, SENW,
SNNW, NESW, NWSW, NESE, NWSE
Application proposes to drill two new
wells for a community water system for
a 50-home subdivision. The water is
for in-house use only and wastewater
is discharged into private septic sys-
tems. Irrigation water will be supplied
by existing surface water and ground
water irrigation rights. The proposed
POU and POD's are located on the
east side of Gannett Road approxi-
mately 2.9 miles south and 1.8 miles
east of the Gannett Road & Highway
75 intersection in Bellevue. This appli-
cation proposes to appropriate trust
water and will be evaluated in com-
pliance with Section 42-203C, Idaho
Code, and IDWR's Water Appropriation
Rules, IDAPA 37.03.08.

37-23629
LOVAS TRUST
57 S L ST UNIT 349
LIVERMORE, CA 94550-3172
Point of Diversion NWSW S17
T01N R19E BLAINE County Source
GROUND WATER Tributary
Point of Diversion NWSW S17
T01N R19E BLAINE County Source
GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.23
CFS
Total Diversion: 0.23 CFS
Date Filed: 11-06-2024
Place Of Use: DOMESTIC
T01N R19E S17 NWSW, SESW,
SSW
Place Of Use: DOMESTIC
T01N R19E S20 NENW
Application proposes to drill two new

wells for a community water system for
a 25-home subdivision. The water is
for in-house use only and wastewater
is discharged into private septic sys-
tems. Irrigation water will be supplied
by existing surface water and ground
water irrigation rights. The proposed
POU and POD's are located on the
west side of Gannett Road approxi-
mately 2.9 miles south and 1.7 miles
east of the Gannett Road & Highway
75 intersection in Bellevue. This appli-
cation proposes to appropriate trust
water and will be evaluated in com-
pliance with Section 42-203C, Idaho
Code, and IDWR's Water Appropriation
Rules, IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT

TRANSFER NO. 89683
WOOD RIVER LAND TRUST
COMPANY, 119 E BULLION ST,
HAILEY, ID 83333-8770 has filed
Application No. 89683 for changes
to the following water rights within
BLAINE County(s): Right No(s),
37-10725. The purpose of the transfer
is to change a portion of the above
rights as follows: Application proposes
moving a 0.1 cfs, 0.7-acre irrigation Blg
Wood River water right from its current
location to a proposed 21-acre permis-
sible place of use (PPU) limited to 0.7
acres of irrigation, and changing the
point of diversion (POD) to an existing
POD. The current place of use (POU)
is located at 712 N. Main St in Bellevue
and the current POD is located approxi-
mately 2.3 miles north and 2.5 miles
west of the current POU. The proposed
PPU and POD are located approxi-
mately 2.1 to 2.3 miles north and 2.1
to 2.4 miles west of the current POU.

TRANSFER NO. 89680
BLACKBURN FARMING LLC, 535
GANNETT RD UNIT E, BELLEVUE,
ID 83313-5045 has filed Application
No. 89690 for changes to the following
water rights within BLAINE County(s):
Right No(s), 37-23083, 37-23084,
37-23085, 37-23086, 37-23087,
37-23088, 37-23089, 37-23090,
37-23091, 37-23092, 37-23093. The
purpose of the transfer is to change a
portion of the above rights as fol-
lows: Transfer application proposes
changing the place of use for a group
of seven Blg Wood River irrigation
water rights diverted via the District 45
Canal and four groundwater irrigation
rights diverted from wells on a farm
located on the east side of Gannett
Road approximately 3.0 to 6.5 miles
south and 1.5 to 4.5 miles east of the
center of Bellevue. The eleven rights
currently allow for the irrigation of
1291.6 acres on the farm. The pro-
posed change in place of use modifies
a 24.8-acre portion of the eleven rights
to reflect actual irrigation practices on
the farm.

Permits will be subject to all prior water
rights. For additional information con-
cerning the property locations, contact
Southern Region office at (208) 736-
3033; or for a full description of the
rights &/or proposed transfer, please
see <https://research.idwr.idaho.gov>
Protests may be submitted based on
the criteria of Sec 42-222 and 42-203A,
Idaho Code. Any protest against the
approval of this application(s) must be
filed with the Director, Dept. 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 applica-
tion on or before May 27, 2025. The
protestant must also send a copy of the
protest to the applicant.

PUBLISH
IDAHO MOUNTAIN EXPRESS
MAY 7 & 14, 2025

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that
the Sun Valley Planning & Zoning
Commission will hold a public hearing
on Thursday, May 22nd, 2025 at 9:00
AM in City Hall Council Chambers, 81
Elkhorn Road, Sun Valley, ID to hear
comments from the public concerning
the following items:

• DR 2025-35: Design Review
application for the installation of
artificial turf at a Community School
Sageview Campus Soccer Field.
Applicant: Community School Inc.
(property owner). Location: 1
Arrowleaf Road (Sageview
Campus Sub Block 1 & 2 & Road

Proof of legal
notice received
from Idaho Mtn
Express 5/1/2025



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

May 1, 2025

BLACKBURN FARMING LLC
535 GANNETT RD UNIT E
BELLEVUE, ID 83313-5045

RE: Application for Permit No. 37-23593

RE: Transfer No. 89690

Water Right No(s). 37-23083, 37-23084, 37-23085, 37-23086, 37-23087,
37-23088, 37-23089, 37-23090, 37-23091, 37-23092, 37-23093

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS on 5/7/2025 and 5/14/2025**. 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 **May 27, 2025**.

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 permit.

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

Sincerely,


Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC

Maline, Denise

From: Maline, Denise
Sent: Thursday, May 1, 2025 3:32 PM
To: Sunny (WD37)
Cc: Brittany (WD37)
Subject: Comment Letters for 37-23593, 37-23629, 89683 & 89690
Attachments: Comment letter to WD37 for 37-23593, 37-23629, 89683, 89690.docx; Application for Permit 37-23593.pdf; Application for Permit 37-23629.pdf; Transfer 89683 (Wood River Land Trust).pdf; Transfer 89690 (Blackburn Farming).pdf

Good afternoon Sunny,

Attached are (2) application for transfer and (2) applications for permit located within WD37 currently being processed by the department. 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 our office.

Thank you in advance,

Denise @ IDWR Twin Falls



Denise Maline, Administrative Assistant I

Idaho Dept. of Water Resources, Southern Region

650 Addison Ave W Ste 500

Twin Falls ID 83301-5858

(208) 293-9908

denise.maline@idwr.idaho.gov



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

May 1, 2025

SUNNY HEALEY
WATER DISTRICT 37
107 W 1ST
SHOSHONE, ID 83352

Re: Application for Permit No. 37-23593 (Lovas Trust)

Re: Application for Permit No. 37-23629 (Blackburn Farming LLC)

Re: Transfer No. 89683 (Wood River Land Trust)
Water Right No(s). 37-10725

Re: Transfer No. 89690 (Blackburn Farming)
Water Right No(s). 37-23083, etc.

Dear Sunny:

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)



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

May 1, 2025

TRIANGLE IRRIGATION DISTRICT
PO BOX 424
BELLEVUE ID 83313-0424

Re: Transfer No(s). 89690 (Blackburn Farming LLC)
Water Right No(s). 37-23083, etc.

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization 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, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication (**on or before May 27, 2025**).

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

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, May 1, 2025 8:53 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.docx

Good morning,

Attached please find **(1)** legal notice being submitted for publication on May 7th & 14th, 2025. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls, Idaho



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



IDAHO DEPARTMENT OF
WATER RESOURCES

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

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

Governor Brad Little

Director Mathew Weaver

May 1, 2025

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340-0990

RE: Application for Permit No(s). 37-23593, 37-23629

RE: Transfer No. 89683
Water Right No(s). 37-10725

RE: Transfer No. 89690
Water Right No(s). 37-23083, 37-23084, 37-23085, 37-23086, 37-23087,
37-23088, 37-23089, 37-23090, 37-23091, 37-23092, 37-23093

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 May 27, 2025. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-23593

BLACKBURN FARMING LLC

535 GANNETT RD UNIT E

BELLEVUE, ID 83313-5045

Point of Diversion NESW S17 T01N R19E BLAINE County Source GROUND WATER Tributary

Point of Diversion NESW S17 T01N R19E BLAINE County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.33 CFS

Total Diversion: 0.33 CFS

Date Filed: 05-08-2024

Place Of Use: DOMESTIC

T01N R19E S17 SWNE, SENW, SWNW, NESW, NWSW, NESE, NWSE

Application proposes to drill two new wells for a community water system for a 50-home subdivision. The water is for in-house use only and wastewater is discharged into private septic systems. Irrigation water will be supplied by existing surface water and ground water irrigation rights. The proposed POU and POD's are located on the east side of Gannett Road approximately 2.9 miles south and 1.8 miles east of the Gannett Road & Highway 75 intersection in Bellevue. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

37-23629

LOVAS TRUST

57 S L ST UNIT 349

LIVERMORE, CA 94550-3172

Point of Diversion NWSW S17 T01N R19E BLAINE County Source GROUND WATER Tributary

Point of Diversion NWSW S17 T01N R19E BLAINE County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.23 CFS

Total Diversion: 0.23 CFS

Date Filed: 11-06-2024

Place Of Use: DOMESTIC

T01N R19E S17 NWSW, SESW, SWSW

Place Of Use: DOMESTIC

T01N R19E S20 NENW

Application proposes to drill two new wells for a community water system for a 25-home subdivision. The water is for in-house use only and wastewater is discharged into private septic systems. Irrigation water will be supplied by existing surface water and ground water irrigation rights. The proposed POU and POD's are located on the west side of Gannett Road approximately 2.9 miles south and 1.7 miles east of the Gannett Road & Highway 75 intersection in Bellevue. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89683**

WOOD RIVER LAND TRUST COMPANY, 119 E BULLION ST, HAILEY, ID 83333-8770 has filed Application No. 89683 for changes to the following water rights within BLAINE County(s): Right No(s). 37-10725. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a 0.1 cfs, 0.7-acre irrigation Big Wood River water right from its current location to a proposed 21-acre permissible place of use (PPU) limited to 0.7 acres of irrigation, and changing the point of diversion (POD) to an existing POD. The current place of use (POU) is located at 712 N. Main St in Bellevue and the current POD is located approximately 2.3 miles north and 2.5 miles west of the current POU. The proposed PPU and POD are located approximately 2.1 to 2.3 miles north and 2.1 to 2.4 miles west of the current POU.

TRANSFER NO. 89690

BLACKBURN FARMING LLC, 535 GANNETT RD UNIT E, BELLEVUE, ID 83313-5045 has filed Application No. 89690 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23083, 37-23084, 37-23085, 37-23086, 37-23087, 37-23088, 37-23089, 37-23090, 37-23091, 37-23092, 37-23093. The purpose of the transfer is to change a portion of the above rights as follows: Transfer application proposes changing the place of use for a group of seven Big Wood River irrigation water rights diverted via the District 45 Canal and four groundwater irrigation rights diverted from wells on a farm located on the east side of Gannett Road approximately 3.0 to 6.5 miles south and 1.5 to 4.5 miles east of the center of Bellevue. The eleven rights currently allow for the irrigation of 1291.6 acres on the farm. The proposed change in place of use modifies a 24.8-acre portion of the eleven rights to reflect actual irrigation practices on the farm.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 **May 27, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on May 7th & 14th, 2025

TRANSFER SYNOPSIS

Date: April 15, 2025

To: BlackBurn Farming File Number 89690

From: Collin Glass

Re: Summary of transfer

Application for transfer proposes to alter the place of use (POU) to represent the actual irrigation taking place. The points of diversion for these water rights are located approximately 0.05 miles south and .1 miles west of the center of Bellevue (State Highway 75 and Cedar Street). The POU is located approximately 3.0 to 6.5 miles south and 1.5 to 4.5 miles east of the center of Bellevue.

This transfer is altering the POU by removing the place of use area in sections of the farm that are not being irrigated because those areas are used for farm operations like equipment storage and buildings. The total amount of acreage being moved or modified is 24.8 acres leading to a total change of 2.15 cfs from the totality of the water rights of 112.21 cfs. Because the POU is being adjusted advertisement is necessary.

Water Master comments will be sought, as the right is located within Water District 37 and administered by the Water District.

TRANSFER SYNOPSIS

Date: April 15, 2025

To: BlackBurn Farming File Number 89690

From: Collin Glass

Re: Summary of transfer

Application for transfer proposes to alter the place of use (POU) to represent the actual irrigation taking place. The points of diversion for these water rights are located approximately 0.05 miles south and .1 miles west of the center of Bellevue (State Highway 75 and Cedar Street). The POU is located approximately 3.0 to 6.5 miles south and 1.5 to 4.5 miles east of the center of Bellevue.

This transfer is altering the POU by removing the place of use area in sections of the farm that are not being irrigated because those areas are used for farm operations like equipment storage and buildings. Because the POU is being adjusted advertisement is necessary.

Water Master comments will be sought, as the right is located within Water District 37 and administered by the Water District.

FEE MEMORANDUM

Date: April 14, 2025

To: BLACKBURN LLC File Number 89690

From: Collin Glass

Re: Receipting/disposition of fees paid

This transfer was filed on April 14, 2025, and its purpose is to adjust the place of use of the irrigation water right. To calculate the filing fee for this transfer, the entirety of all water rights in the same place of use were considered. The cubic feet per second (cfs) rate per acre for this group of water rights is calculated at 0.086 cfs per acre. 24.8 acres are being moved or adjusted and the total cfs being moved totals to 2.15 cfs leading to a filing fee of \$660.00. The fee was paid by Brockway Engineering on behalf of Blackburn Farming LLC under water resource receipt number S040571.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
MAR 21 2025
DEPT. OF WATER RESOURCES
SOUTHERN REGION

March 21, 2025

Mr. Corey Skinner, P.E.
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

Re: Cove Ranch / Blackburn Farming transfer application

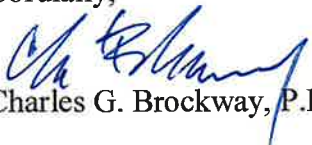
Dear Mr. Skinner:

Enclosed please find an Application for Transfer pertaining to the above-referenced property north of Gannett. The purpose of the transfer is to adjust the authorized permissible place of use for the several groundwater and surface water rights in accordance with actual irrigation. A detailed take-off of irrigation based on the 2023 aerial photo was made, and the total acres were found to be essentially identical to the water right allowance after accounting for acres voluntarily fallowed under the temporary groundwater mitigation plan in place via the South Valley Groundwater District. The PPU area is 1,291.6 acres, which is equal to the total combined limit for all water rights.

The application fee enclosed is based upon the diversion rate appurtenant to the number of acres actually being changed.

Please do not hesitate to contact me if any additional information is required.

Cordially,


Charles G. Brockway, P.E.

Enc Application fee \$660.00
cc Client

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506