

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89677**

This is to certify that: **DAVID LLOYD AND
JOY LYN LLOYD
1915 LUND RD
BANCROFT, ID 83217**

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
13-10019	WR/DECREED	1/3/1975	4.070 cfs	849.0 af	N/A	283.0	GROUND WATER
13-2278	WR/DECREED	8/6/1965	5.450 cfs	924.0 af	N/A	308.0	GROUND WATER
13-2312	WR/DECREED	8/8/1962	3.000 cfs	690.0 af	N/A	230.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

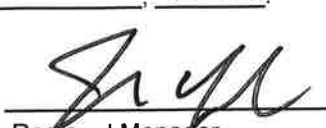
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
13-10019	YES	YES	YES	NO	NO	NO
13-2278	YES	YES	YES	NO	NO	NO
13-2312	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
13-10019	13-10034	0.190 cfs	39.0 af	13.0	136.0	13-10019	3.880 cfs	810.0 af	N/A	270.0
13-2278	13-10032	0.800 cfs	135.0 af	45.0	136.0	13-2278	4.650 cfs	789.0 af	N/A	263.0
13-2312	13-10033	1.020 cfs	234.0 af	78.0	136.0	13-2312	1.980 cfs	456.0 af	N/A	152.0
COMBINED TOTALS		2.010 cfs	408.0 af	136.0	136.0		N/A	N/A	N/A	N/A

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

Dated this 16th day of May, 2025


Regional Manager

**Support Data
In File # 13-2278**

Transfer No. 89677

WATER RIGHT NO. 13-2278

As Modified by Transfer No. 89677

In accordance with the approval of Transfer No. 89677, Water Right No. 13-2278 is now described as follows:

Right Holder: BOYD NEWTON MC NEILL
STAR RT
BANCROFT, ID 83217

Priority Date: 8/6/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/15	to 10/15	4.650 cfs	789.0 af
			4.650 cfs	789.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 22 Twp 09S Rge 40E CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	40E	21	34.0	33.0	33.0	34.0													134.0
09S	40E	22					29.0	35.0	35.0	30.0									129.0

POU Total Acres: 263.0

WATER RIGHT NO. 13-10032
As Modified by Transfer No. 89677

In accordance with the approval of Transfer No. 89677, Water Right No. 13-10032 is now described as follows:

Right Holder: BOYD NEWTON MC NEILL
STAR RT
BANCROFT, ID 83217

Priority Date: 8/6/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/15	to 10/15	0.800 cfs	135.0 af
			0.800 cfs	135.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec 22 Twp 09S Rge 40E CARIBOU County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	40E	16													34.0	34.0	34.0	34.0	136.0
Right Acre Limit:			45.0																
POU Total Acres:			136.0																

CONDITIONS OF APPROVAL

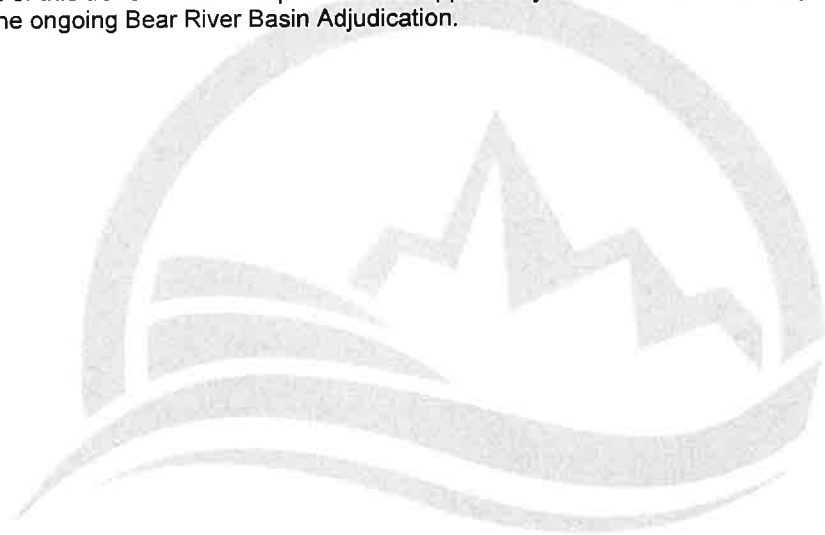
1. This right is limited to the irrigation of 45 acres within the authorized place of use in a single irrigation season.
2. Rights 13-10032, 13-10033, and 13-10034 when combined shall not exceed the irrigation of 136 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13T.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 89677

WATER RIGHT NO. 13-10032
As Modified by Transfer No. 89677

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Bear River Basin Adjudication.



WATER RIGHT NO. 13-2312**As Modified by Transfer No. 89677**

In accordance with the approval of Transfer No. 89677, Water Right No. 13-2312 is now described as follows:

Right Holder: KEITH E LLOYD AND/OR
ELLA LLOYD
1917 LUND RD
BANCROFT, ID 83217

Priority Date: 8/8/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/15	to 10/15	1.980 cfs	456.0 af
			1.980 cfs	456.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 25 Twp 09S Rge 39E CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	39E	23															0.7	8.6	9.3
09S	39E	24											19						19
09S	39E	25						37.0	36.0	16.3									89.3
										L 2									
09S	39E	26	28	0.2		6.2													34.4

POU Total Acres: 152.0

Transfer No. 89677

WATER RIGHT NO. 13-10033
As Modified by Transfer No. 89677

In accordance with the approval of Transfer No. 89677, Water Right No. 13-10033 is now described as follows:

Right Holder: ELLA LLOYD AND/OR
 KEITH E LLOYD
 1917 LUND RD
 BANCROFT, ID 83217

Priority Date: 8/8/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/15	to 10/15	1.020 cfs	234.0 af
			1.020 cfs	234.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec 22 Twp 09S Rge 40E CARIBOU County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	40E	16													34.0	34.0	34.0	34.0	136.0

Right Acre Limit: 78.0

POU Total Acres: 136.0

CONDITIONS OF APPROVAL

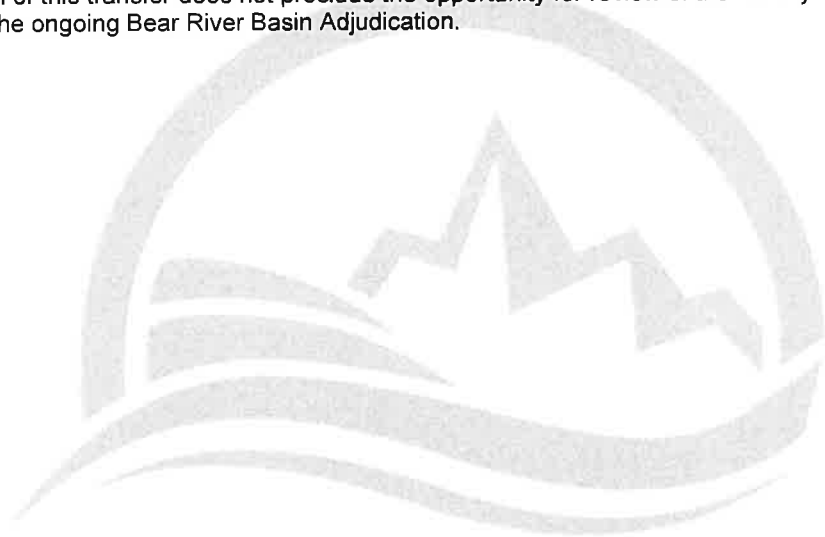
1. This right is limited to the irrigation of 78 acres within the authorized place of use in a single irrigation season.
2. Rights 13-10032, 13-10033, and 13-10034 when combined shall not exceed the irrigation of 136 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13T.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 89677

WATER RIGHT NO. 13-10033
As Modified by Transfer No. 89677

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Bear River Basin Adjudication.



WATER RIGHT NO. 13-10019
As Modified by Transfer No. 89677

In accordance with the approval of Transfer No. 89677, Water Right No. 13-10019 is now described as follows:

Right Holder: CX HOLDINGS INC
 1034 KIMBALL LN
 BANCROFT, ID 83217-5155

Priority Date: 1/3/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	3.880 cfs	810.0 af
			3.880 cfs	810.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 28 Twp 09S Rge 40E CARIBOU County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	40E	21													34.0	33.0	33.0	32.0	132.0
09S	40E	28	35.1	32.9	34.7	35.3													138.0

POU Total Acres: 270.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

WATER RIGHT NO. 13-10034
As Modified by Transfer No. 89677

In accordance with the approval of Transfer No. 89677, Water Right No. 13-10034 is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 1/3/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	0.190 cfs	39.0 af
			0.190 cfs	39.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec 22 Twp 09S Rge 40E CARIBOU County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	40E	16													34.0	34.0	34.0	34.0	136.0
Right Acre Limit:			13.0																
POU Total Acres:			136.0																

CONDITIONS OF APPROVAL

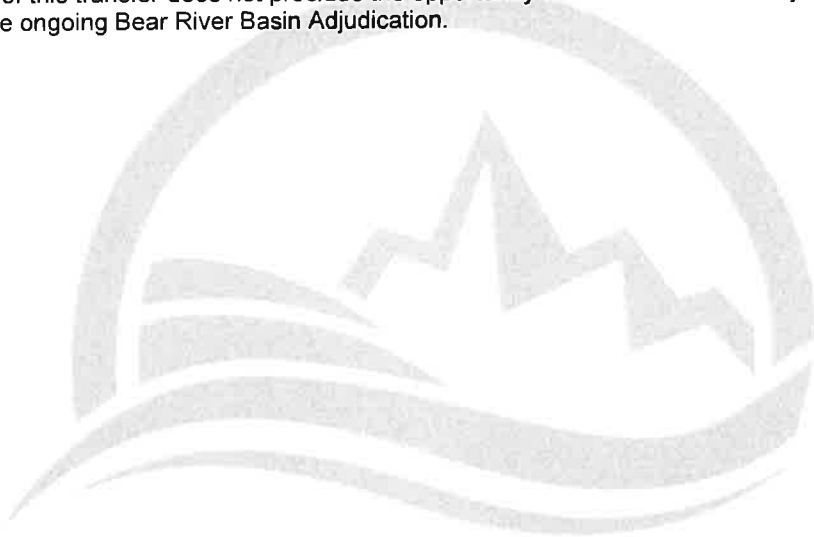
1. This right is limited to the irrigation of 13 acres within the authorized place of use in a single irrigation season.
2. Rights 13-10032, 13-10033, and 13-10034 when combined shall not exceed the irrigation of 136 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13T.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 89677

WATER RIGHT NO. 13-10034
As Modified by Transfer No. 89677

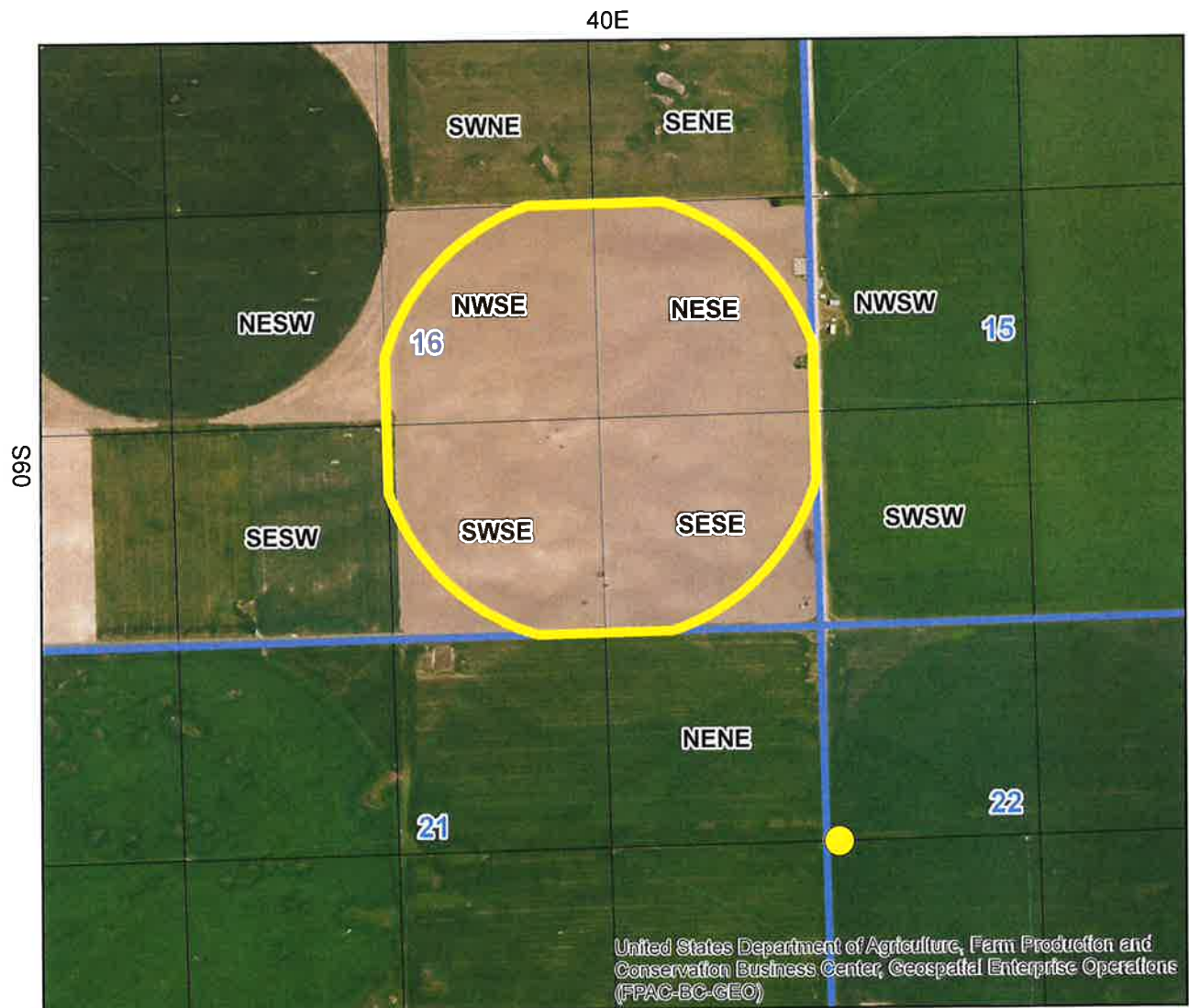
CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Bear River Basin Adjudication.



State of Idaho
Department of Water Resources
Transfer Approval 89677
Water Rights 13-10032, 13-10033, 13-10034

May 16, 2025



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

0 0.125 0.25 0.5 Miles





IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

May 16, 2025

JOY LYN LLOYD
DAVID LLOYD
1915 LUND RD
BANCROFT ID 83217

Re: Transfer No: 89677
Water Right No(s): 13-2278, 13-2312, 13-10019, 13-10032, 13-10033, 13-10034
Transfer Approval Notice

Dear Water Right Holder and Interested Persons:

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

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

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

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

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

the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Cefalo', written in a cursive style.

James Cefalo
Regional Manager

Enclosure

CC:

BOYD NEWTON MC NEILL
STAR RT
BANCROFT ID 83217

KEITH E LLOYD
ELLA LLOYD
1917 LUND RD
BANCROFT ID 83217

MICHAEL & JEANNIE LLOYD REV TRUST
1721 TURNER RD
GRACE ID 83241

CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT ID 83217-5155

AXA EQUITABLE LIFE INSURANCE CO
C/O AXA EQUITABLE AGRIFINANCE LLC
6300 C ST SW
CEDAR RAPIDS IA 52404-7470

CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2025 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 89677

Water Right No(s): 13-2278, 13-2312, 13-10019, 13-10032, 13-10033, 13-10034

**JOY LYN LLOYD
DAVID LLOYD
1915 LUND RD
BANCROFT ID 83217**

**BOYD NEWTON MC NEILL
STAR RT
BANCROFT ID 83217**

**ELLA LLOYD
1917 LUND RD
BANCROFT ID 83217**

**KEITH E LLOYD
1917 LUND RD
BANCROFT ID 83217**

**CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT ID 83217-5155**

**AXA EQUITABLE LIFE INSURANCE CO
C/O AXA EQUITABLE AGRIFINANCE LLC
6300 C ST SW
CEDAR RAPIDS IA 52404-7470**

A handwritten signature in black ink, appearing to read 'J Cefalo', is written over a horizontal line.

**James Cefalo
Regional Manager**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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