

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89458**

This is to certify that: WHITNEY DEVEY AND/OR
WILLIAM BRADY DEVEY
4820 SALMON CREEK DR
BUHL, ID 83316-5151

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
47-17555	WR/DECREED	11/6/1961	2.640 cfs	576.8 af	N/A	144.2	GROUND WATER
47-17560	WR/DECREED	8/9/1954	1.200 cfs	527.2 af	131.8	144.2	GROUND WATER
47-17565	WR/DECREED	4/3/1961	0.130 cfs	83.3 af	66.6	144.2	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>
47-17555	YES	YES	YES	NO	NO	NO
47-17560	YES	YES	YES	NO	NO	NO
47-17565	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>
47-17555	47-17781	0.020 cfs	4.0 af	N/A	1.0	47-17555	2.620 cfs	572.8 af	N/A	143.2
47-17560	47-17782	0.010 cfs	3.6 af	0.9	1.0	47-17560	1.190 cfs	523.6 af	130.9	143.2
47-17565	47-17783	0.010 cfs	0.6 af	0.5	1.0	47-17565	0.120 cfs	82.7 af	66.1	143.2
COMBINED TOTALS		0.020 cfs	4.0 af	N/A	1.0		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 25th day of May, 2025.


Southern Region Manager

SUPPORT DATA

IN FILE # 47-17555

Transfer No. 89458

WATER RIGHT NO. 47-17555**As Modified by Transfer No. 89458**

In accordance with the approval of Transfer No. 89458, Water Right No. 47-17555 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341-5251

Priority Date: 11/6/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2,620 cfs	572.8 af
			2,620 cfs	572.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 31 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWNW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWSW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	31			3.0	30.7								1.9	37.6	20.0	36.0	14.0	143.2

POU Total Acres: 143.2

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate of 2.62 cfs.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
2. The rights listed below are limited to a total combined annual diversion volume of 572.8 AF.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
3. Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 143.2 acres in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. Use of this right is combined with water from Twin Falls Canal Co.

Transfer No. 89458

WATER RIGHT NO. 47-17555
As Modified by Transfer No. 89458

CONDITIONS OF APPROVAL

7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
8. Approval of this transfer does not confirm the validity of this water right.



WATER RIGHT NO. 47-17781**As Modified by Transfer No. 89458**

In accordance with the approval of Transfer No. 89458, Water Right No. 47-17781 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341-5251

Priority Date: 11/6/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.020 cfs	4.0 af
			0.020 cfs	4.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 30 Twp 08S Rge 14E TWIN FALLS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	30																1.0	1.0

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. Rights 47-17781, 47-17782 and 47-17783 when combined shall not exceed a total diversion rate of 0.02 cfs, a total annual maximum diversion volume of 4.0 af at the field headgate, and the irrigation of 1.0 acre.
2. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

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WATER RIGHT NO. 47-17560**As Modified by Transfer No. 89458**

In accordance with the approval of Transfer No. 89458, Water Right No. 47-17560 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341-5251

Priority Date: 8/9/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.190 cfs	523.6 af
			1.190 cfs	523.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 31 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWNW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWSW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	31			3.0	30.7								1.9	37.6	20.0	36.0	14.0	143.2

Right Acre Limit: 130.9

POU Total Acres: 143.2

CONDITIONS OF APPROVAL

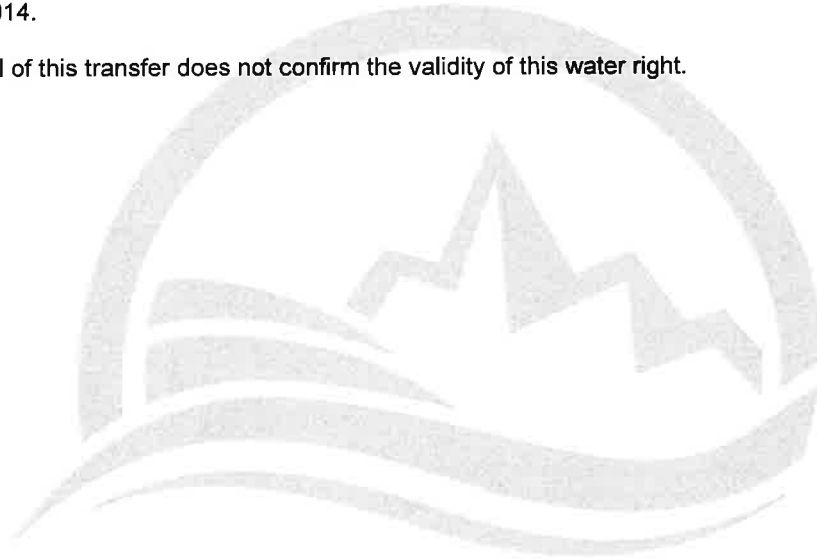
- Right 47-17560 is limited to the irrigation of 130.9 acres within the place of use described above in a single irrigation season.
- The rights listed below are limited to a total combined diversion rate of 2.62 cfs.
Combined Right Nos.: 47-17555, 47-17560, 4717565
- The rights listed below are limited to a total combined annual diversion volume of 572.8 AF.
Combined Right Nos.: 47-17555, 47-17560, 4717565
- Right Nos. 47-17555, 47-17560, and 4717565 are limited to the irrigation of a combined total of 143.2 acres in a single irrigation season.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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WATER RIGHT NO. 47-17560
As Modified by Transfer No. 89458

CONDITIONS OF APPROVAL

6. The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Use of this right is combined with water from Twin Falls Canal Co.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
9. Approval of this transfer does not confirm the validity of this water right.



WATER RIGHT NO. 47-17782
As Modified by Transfer No. 89458

In accordance with the approval of Transfer No. 89458, Water Right No. 47-17782 is now described as follows:

Right Holder: MATHERS RANCH INC
 3485 E 3100 N
 KIMBERLY, ID 83341-5251

Priority Date: 8/9/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.010 cfs	3.6 af
			0.010 cfs	3.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 30 Twp 08S Rge 14E TWIN FALLS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	30																	1.0

Right Acre Limit: 0.9

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.9 acre within the authorized place of use in a single irrigation season.
2. Rights 47-17781, 47-17782 and 47-17783 when combined shall not exceed a total diversion rate of 0.02 cfs, a total annual maximum diversion volume of 4.0 af at the field headgate, and the irrigation of 1.0 acre.
3. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 89458

WATER RIGHT NO. 47-17782
As Modified by Transfer No. 89458

CONDITIONS OF APPROVAL

6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 47-17565**As Modified by Transfer No. 89458**

In accordance with the approval of Transfer No. 89458, Water Right No. 47-17565 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341-5251

Priority Date: 4/3/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.120 cfs	82.7 af
			0.120 cfs	82.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 31 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWNW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWSW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	31			3.0	30.7								1.9	37.6	20.0	36.0	14.0	143.2

Right Acre Limit: 66.1
POU Total Acres: 143.2

CONDITIONS OF APPROVAL

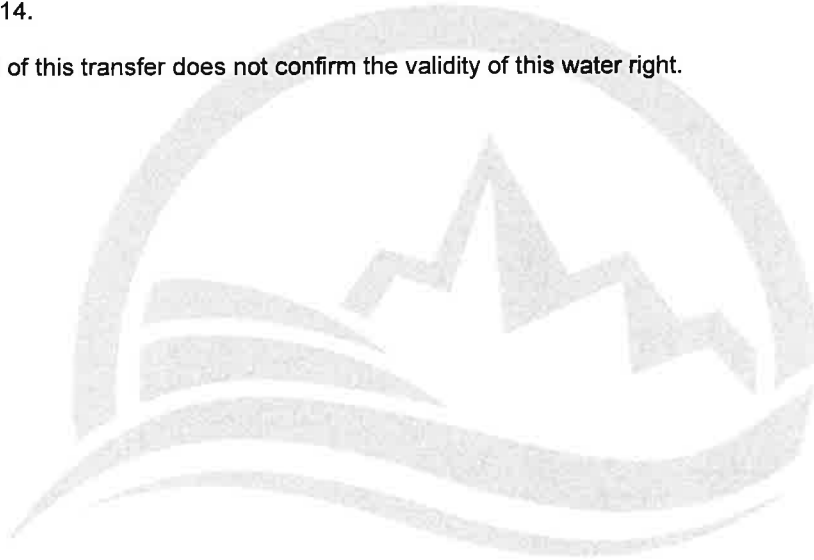
- Right 47-17560 is limited to the irrigation of 66.1 acres within the place of use described above in a single irrigation season.
- The rights listed below are limited to a total combined diversion rate of 2.62 cfs.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
- The rights listed below are limited to a total combined annual diversion volume of 572.8 AF.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
- Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 143.2 acres in a single irrigation season.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 89458

WATER RIGHT NO. 47-17565
As Modified by Transfer No. 89458

CONDITIONS OF APPROVAL

6. The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Use of this right is combined with water from Twin Falls Canal Co.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
9. Approval of this transfer does not confirm the validity of this water right.



WATER RIGHT NO. 47-17783
As Modified by Transfer No. 89458

In accordance with the approval of Transfer No. 89458, Water Right No. 47-17783 is now described as follows:

Right Holder: MATHERS RANCH INC
 3485 E 3100 N
 KIMBERLY, ID 83341-5251

Priority Date: 4/3/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	3/15	to 11/15	0.010 cfs	0.6 af
			0.010 cfs	0.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 30 Twp 08S Rge 14E TWIN FALLS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	30																1.0	1.0
Right Acre Limit:			0.5																
POU Total Acres:			1.0																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.5 acre within the authorized place of use in a single irrigation season.
2. Rights 47-17781, 47-17782 and 47-17783 when combined shall not exceed a total diversion rate of 0.02 cfs, a total annual maximum diversion volume of 4.0 af at the field headgate, and the irrigation of 1.0 acre.
3. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 89458

WATER RIGHT NO. 47-17783
As Modified by Transfer No. 89458

CONDITIONS OF APPROVAL

6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho
Department of Water Resources
Attachment to Transfer # 89458
47-17781, 47-17782, and 47-17783

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

14E



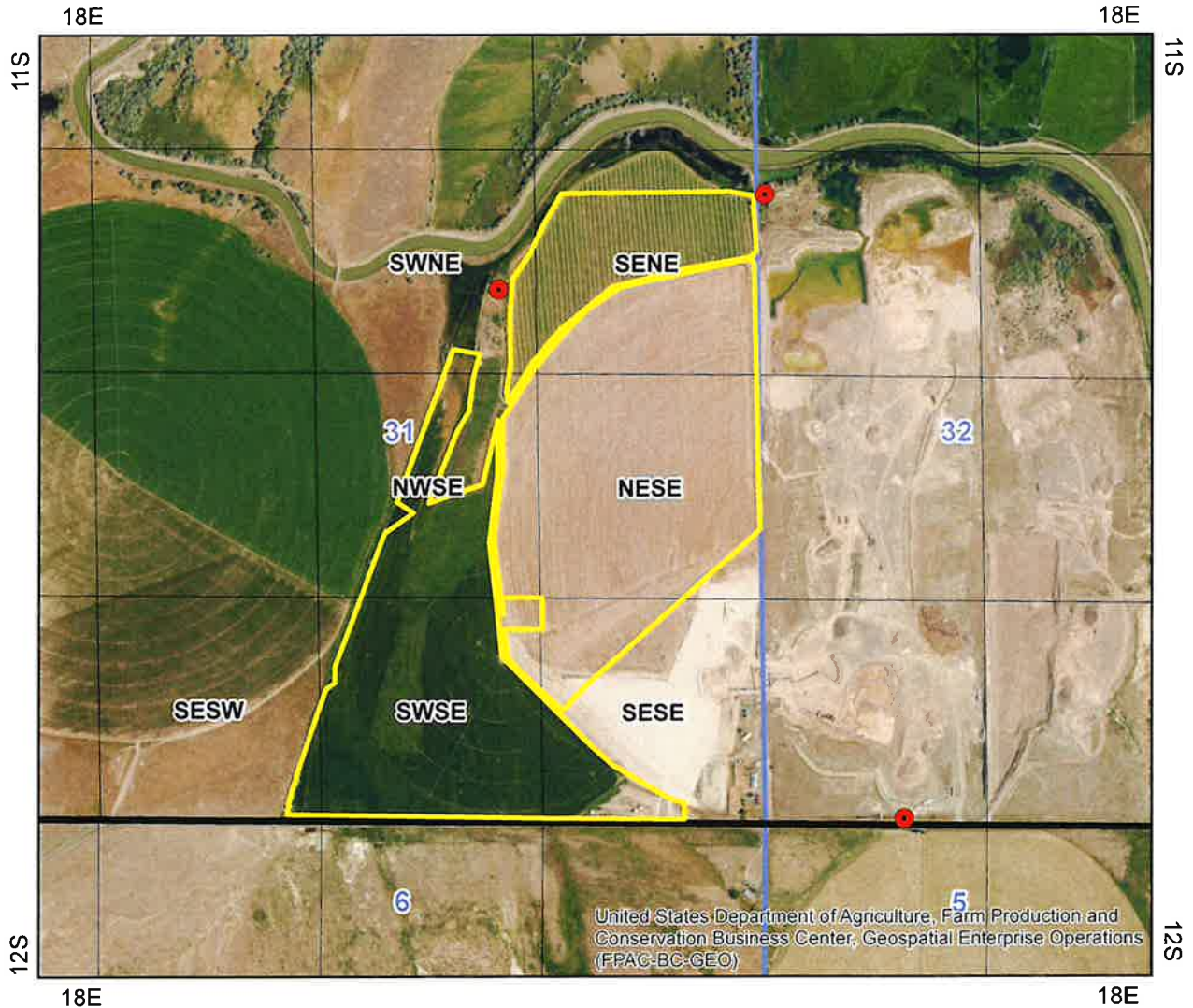
0 0.035 0.07 0.14 Miles

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



State of Idaho
Department of Water Resources
Attachment to Transfer # 89458
47-17555, 47-17560, and 47-17565

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



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



IDAHO DEPARTMENT OF
WATER RESOURCES

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

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

Governor Brad Little

Director Mathew Weaver

May 29, 2025

WILLIAM BRADY DEVEY
WHITNEY DEVEY
4820 SALMON CREEK DR
BUHL ID 83316-5151

Re: Transfer No: 89458

Water Right No(s): 47-17555, 47-17560, 47-17565, 47-17781, 47-17782, 47-17783

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

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

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

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

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

c:

SNAKE RIVER MANAGEMENT INC
STAN HAYE III
403 CENTER ST E
KIMBERLY ID 83341-1809

MATHERS RANCH INC
3485 E 3100 N
KIMBERLY ID 83341-5251

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 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.: 89458

Water Right No(s): 47-17555, 47-17560, 47-17565, 47-17781, 47-17782,
47-17783

WILLIAM BRADY DEVEY
WHITNEY DEVEY
4820 SALMON CREEK DR
BUHL ID 83316-5151

SNAKE RIVER MANAGEMENT INC
STAN HAYE III
403 CENTER ST E
KIMBERLY ID 83341-1809

MATHERS RANCH INC
3485 E 3100 N
KIMBERLY ID 83341-5251



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Sufficiency Memorandum

Date: March 05, 2025

To: Transfer 89458

From: Kent Aasa

Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to transfer a 1.0-acre portion (0.02 cfs) of three ground water irrigation rights from a farm located approximately 7.8 miles south and 1.3 miles west of Kimberly to property located approximately 8.1 miles south and 2.1 miles east of Hagerman. Application also proposes to drill a new well at the proposed place of use. The POD and POU are within the boundary of WD 47G but ground water is not administered so watermaster comments were not solicited.

- **Authority to File:**
The applicants provided a Contract for Sale of Water Rights, between the current owner of the water rights and the applicants, allowing the applicant to file the transfer.
- **Water Right Validity:**
The three water rights involved in the transfer were decreed in the SRBA on July 14, 2009. Recent aerial photography indicates that these water rights have been used in recent years.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impacts anticipated. No protests were received
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

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

Due to cybersecurity event and system outages, Times News was not able to produce an Affidavit of Publication for February 6th & 13th publications. Actual newspaper clipping is below:

B4 | THURSDAY, FEBRUARY 13, 2025

LEGAL NOTICES

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 89444

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 89444 for changes to the following water rights within JEROME County(s): Right No(s). 36-14617, 36-16951, 36-16952, 36-17232, 36-2283, 36-2386, 36-2608. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes combining a 254.8-acre, 4.73 cfs portion of an irrigation ground water right currently diverted from one authorized point of diversion (POD) with a system of six irrigation ground water rights (12.32 cfs total) with three authorized PODs. This proposal will merge two adjacent, existing farms allowing for all rights (17.05 cfs total) to be diverted from four existing PODs and create a 1243.8-acre permissible place of use limited to the irrigation of 988.4 acres. Current and proposed POU's and PODs are located approximately 4.0 to 6.8 miles east and 1.0 to 2.0 miles north of the city center of Jerome.

TRANSFER NO. 89445

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 89445 for changes to the following water rights within JEROME County(s): Right No(s). 36-16952, 36-2531, 36-2556. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a 0.61 cfs, 33-acre portion of an irrigation ground water right from its current farm to another existing nearby farm. The 0.61 cfs portion will be diverted from an existing point of diversion (POD) that currently diverts two irrigation ground water rights (2.43 cfs & 320 acres). The transfer will allow a combined diversion of 3.04 cfs and the irrigation of 353 acres. The current farm and POD for the water right portion proposed to be moved is located approximately 5.3 to 5.8 miles east and 1.0 to 2.0 miles north of the city center of Jerome. The farm and POD the portion of the water right is proposed to be moved to is located approximately 6.8 to 7.3 miles east and 0.0 to 1.5 miles north of the city-center of Jerome.

TRANSFER NO. 89446

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 89446 for changes to the following water rights within JEROME County(s): Right No(s). 36-17172, 36-17173, 36-17230, 36-17231. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes updating the place of use (POU) for four industrial ground water rights (4.33 cfs combined) to include additional grounds proposed to be added by merging irrigation ground water rights from two farms in companion transfer #89444. No changes to points of diversion are proposed. The proposed POU is located approximately 4.0 to 6.8 miles east and 1.0 to 2.0 miles north of the city center of Jerome.

TRANSFER NO. 89451

K & K REAL ESTATE LLC, 3751 S 2400 E, JEROME, ID 83338-4029 has filed Application No. 89451 for changes to the following water rights within GOODING County(s): Right No(s). 36-10225D, 36-10225K, 36-15169D, 36-15169K, 36-2087D, 36-2087K, 36-2113D, 36-2113K, 36-2161D, 36-2161K, 36-2289M, 36-2311D, 36-2311K, 36-2500D, 36-2500K, 36-2614D, 36-2614K, 36-7307D, 36-7307K, 36-7362D, 36-7362K, 36-7477D, 36-7477K, 36-7606D, 36-7606K, 36-7779D, 36-7779K, 36-7832D, 36-7832K. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a 0.88 cfs (45 acre) portion of 15 irrigation rights to Commercial and Stockwater use at an existing dairy. Application also proposes to change the Place of Use of 14 existing Commercial and Stockwater rights (1.92 cfs & 295.2 af) and add two new wells to be drilled. In total, 2.8 cfs & 445.3 af will be diverted from 4 wells (including the two new wells to be drilled) at the existing dairy site. The dairy site and the 45 acres to be changed are located approximately 5.5 to 6.25 miles directly south of the center of Wendell.

TRANSFER NO. 89458

WILLIAM BRADY DEVEY and WHITNEY DEVEY, 4820 SALMON CREEK DR, BUHL, ID 83316-5151 has filed Application No. 89458 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to transfer a 1-acre portion (0.02 cfs) of three ground water irrigation rights from a farm located approximately 7.8 miles south and 1.3 miles west of Kimberly to property located approximately 8.1 miles south and 2.1 miles east of Hagerman. Application also proposes to drill a new well at the proposed place of use.

TRANSFER NO. 89544

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 89544 for changes to the following water rights within JEROME County(s): Right No(s). 36-7345B, 36-8411. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion and place of use (POU) locations for two stockwater and commercial water rights (total of 0.50 cfs and 149.5 af) associated with an existing dairy site located, on the south side of I-84, approximately 3.25 to 4.0 miles west and 0.5 to 0.8 miles north of the center of Jerome (intersection of Lincoln Ave & Main St). The application proposes drilling two new wells and abandoning the existing wells and modifying the authorized POU location for the dairy site. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before February 24, 2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: February 6, 13, 2025
COL-NV-1322

✓ ok dm 2/28/2025

Due to cybersecurity event and system outages, Times News was not able to produce an Affidavit of Publication for February 6th & 13th publications. Actual newspaper clipping is below:

A4 | THURSDAY, FEBRUARY 6, 2025

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