

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 89618**

This is to certify that: **H & E HOLDINGS LLC**  
1249 S HIGHWAY 27  
OAKLEY, ID 83346-9755

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>            |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|--------------------------|
| 45-14216           | WR/DECREED          | 8/12/1880            | 0.330 cfs             | 5.6 af                  | 31.7              | 905.9              | BEDKE SPRING             |
| 45-586             | WR/DECREED          | 12/31/1879           | 1.600 cfs             | 6.7 af                  | 175.0             | 905.9              | MILL CREEK, SPRING CREEK |
| 45-708             | WR/DECREED          | 7/1/1908             | 1.200 cfs             | N/A                     | 60.0              | 80.0               | CEDAR HOLLOW SPRING      |

**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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 45-14216              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-586                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-708                | NO           | NO         | YES        | NO             | NO                   | NO                   |

**Summary Of Water Rights After the Approved Change**

| <u>Existing Right</u>  | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 45-14216               | 45-14216                         | 0.330 cfs            | 5.6 af                 | 31.2              | 905.9              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-586                 | 45-586                           | 1.600 cfs            | 6.7 af                 | 166.2             | 905.9              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-708                 | 45-708                           | 1.200 cfs            | N/A                    | 60.0              | 80.0               | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>3.130 cfs</b>     | <b>N/A</b>             | <b>257.4</b>      | <b>985.9</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

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 30<sup>th</sup> day of May, 2025.

  
Southern Region Manager

SUPPORT DATA

IN FILE # 45-586

Transfer No. 89618

**WATER RIGHT NO. 45-708****As Modified by Transfer No. 89618**

In accordance with the approval of Transfer No. 89618, Water Right No. 45-708 is now described as follows:

**Right Holder:** H & E HOLDINGS LLC  
1249 S HIGHWAY 27  
OAKLEY, ID 83346-9755

**Priority Date:** 7/1/1908

**Source:** CEDAR HOLLOW SPRING

**Tributary:** BIG CEDAR CANYON

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

03/15  
03/15

**To**

to 11/15  
to 11/15

**Diversion Rate**

1.200 cfs  
0.020 cfs  
1.200 cfs

**LOCATION OF POINT(S) OF DIVERSION**

CEDAR HOLLOW SPRING SWSWSW Sec 14 Twp 13S Rge 23E CASSIA County

**PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE   | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 23E | 21  | 40.0 | 40.0 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 80.0   |

Right Acre Limit: 60.0

POU Total Acres: 80.0

**PLACE OF USE: STOCKWATER**

|     |     |     | NE |     |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 23E | 17  | X  | X   | X  | X  | X  |    |    | X  |    |    |    | X  | X  | X  | X  | X  |        |
| 13S | 23E | 19  | X  | X   |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    | L 1 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0      |
| 13S | 23E | 20  | X  | X   | X  | X  | X  | X  | X  | X  | X  | X  |    | X  | X  | X  | X  | X  |        |
| 13S | 23E | 21  | X  | X   |    |    | X  | X  | X  |    |    | X  | X  |    |    |    |    |    |        |
| 13S | 23E | 27  |    |     |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    |        |
| 13S | 23E | 28  | X  | X   | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |    | X  |    |    |        |
| 13S | 23E | 29  | X  | X   | X  | X  | X  |    |    | X  | X  |    |    |    | X  | X  |    | X  |        |

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 60 acres within the authorized place of use in a single irrigation season.

Transfer No. 89618

**WATER RIGHT NO. 45-708**  
**As Modified by Transfer No. 89618**

**CONDITIONS OF APPROVAL**

2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. The amount of water diverted under this water right may constitute up to the entire flow of Cedar Hollow Spring at the point of diversion described below at any given time in the irrigation season. This water right shall not provide more than .02 cubic feet per second per acre irrigated at any time.
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. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-14216****As Modified by Transfer No. 89618**

In accordance with the approval of Transfer No. 89618, Water Right No. 45-14216 is now described as follows:

**Right Holder:** H & E HOLDINGS LLC  
1249 S HIGHWAY 27  
OAKLEY, ID 83346-9755

**Priority Date:** 8/12/1880

**Source:** BEDKE SPRING

| <b>BENEFICIAL USE</b> | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| DOMESTIC              | 01/01       | to 12/31  | 0.040 cfs             | 1.6 af                  |
| IRRIGATION            | 03/15       | to 11/15  | 0.330 cfs             |                         |
| STOCKWATER            | 01/01       | to 12/31  | 0.100 cfs             | 5.6 af                  |
|                       |             |           | 0.330 cfs             | 5.6 af                  |

**LOCATION OF POINT(S) OF DIVERSION**

BEDKE SPRING SWSE Sec 27 Twp 13S Rge 23E CASSIA County

**PLACE OF USE: DOMESTIC**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 23E | 28  |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |        |

**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 |        |
| 13S | 23E | 20  |     |    |      | 32.0 |      |      |      |     |      |      |      | 35.0 | 32.0 | 35.0 | 32.0 |    | 166.0  |
| 13S | 23E | 21  |     |    |      |      |      |      | 40.0 |     |      | 40.0 | 40.0 |      |      |      |      |    | 120.0  |
| 13S | 23E | 28  |     |    | 34.0 | 33.0 |      | 33.0 | 11.0 | 5.5 | 34.0 | 38.0 | 29.0 | 35.0 |      | 36.0 |      |    | 323.5  |
| 13S | 23E | 29  | 4.4 |    | 35.0 | 39.0 | 38.0 | 34.0 |      |     | 35.0 | 35.0 |      |      | 40.0 | 36.0 |      |    | 296.4  |

Right Acre Limit: 31.2

POU Total Acres: 905.9

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |     |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 23E | 17  | X  | X   | X  | X  | X  |    |    | X  |    |    |    | X  | X  | X  | X  | X  |        |
| 13S | 23E | 19  | X  | X   |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    | L 1 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0      |
| 13S | 23E | 20  | X  | X   | X  | X  | X  | X  | X  | X  | X  | X  |    | X  | X  | X  | X  | X  |        |
| 13S | 23E | 21  | X  | X   |    |    | X  | X  | X  |    |    | X  | X  |    |    |    |    |    |        |
| 13S | 23E | 27  |    |     |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0      |
| 13S | 23E | 28  | X  | X   | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |    | X  |    |    |        |

Transfer No. 89618

**WATER RIGHT NO. 45-14216****As Modified by Transfer No. 89618****PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 23E | 29  | X  | X  | X  | X  | X  |    |    | X  | X  |    |    |    | X  | X  |    | X  |        |

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 31.2 acres within the place of use described above in a single irrigation season.
2. Use of water under this right will 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. 45A.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Rights 45-14216, 45-586, 45-587, 45-588, and 45-12929 when combined shall not exceed a total diversion rate of 3.83 cfs.
5. Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, and 45-12927 when combined shall not exceed the irrigation of 527.2 acres.
6. Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, 45-12927, 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres within the place of use in a single irrigation season. The specific 527.2 acres to be irrigated by the right holder shall be identified prior to each irrigation season by submitting to IDWR a land list and a representative electronic shape file or a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights.
7. Right 45-12929 is an enlargement of Rights 45-14216, 45-586, 45-587, & 45-588 pursuant to Section 42-1426, Idaho Code.
8. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.

**WATER RIGHT NO. 45-14216**

**As Modified by Transfer No. 89618**

**CONDITIONS OF APPROVAL**

9. During times of low flow when the quantity of water is not sufficient to fill all the December 31, 1879 priority rights from the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, the practice of delivery by rotation among individual appropriators within groups of water users may occur by agreement of the parties, or according to common practice and usage, provided that no water right user shall be denied the right to receive water on a continuous flow basis by reason of this decree.
10. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.
11. 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.
12. The use of this right is subject to the Amended Order Amending Transfer Approval dated July 20, 2010 with additional conditions as follows: (Continued)
  2. Failure to adhere to the conditions of use and timelines set forth on the IRRIGATION PLAN shall be cause for this amended approval to be revoked with prejudice and the transfers to revert back to the approval established in the orders dated December 2, 2009.
13. Rights 45-14216, 45-586, 45-587, 45-588, and 45-12929 when combined shall not exceed the irrigation of 289.2 acres.
14. Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, and 45-12927 when combined shall not exceed a total diversion rate of 6.93 cfs.

**WATER RIGHT NO. 45-14216**

**As Modified by Transfer No. 89618**

**CONDITIONS OF APPROVAL**

15. The use of this right is subject to the Amended Order Amending Transfer Approval dated July 20, 2010 with additional conditions as follows:
  1. The use of water is subject to the attached IRRIGATION PLAN.
  - 1.1 Prior to August 31, 2010 the applicant shall report directly to the Department and the watermaster of Water District 140 the location of the 527.2 acres initially irrigated from March 15, 2010 to August 31, 2010. The applicant shall also report that portion of the 527.2 acres intended to be dried up (defined as A acres under the plan) in exchange for irrigation of other lands between September 1 and November 15 of 2010 (defined as B acres under the plan) necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting.
  - 1.2 Beginning in 2011 and for each successive year, the applicant shall report directly to the Department and the watermaster of Water District 140 prior to May 1, the location of the 527.2 acres of crops that will be irrigated between March 15 and August 31. The applicant shall also report prior to August 31, the location and number of the A acres (that portion of the 527.2 acres to be dried up on or before August 31), and the number and location of the B acres (the acres to be irrigated in the fall between September 1 and November 15).
  - 1.3 Identification or reporting to the Department and the Water District 140 watermaster of the 527.2 cropped acres, the A acres, and the B acres shall be in the form of a land list and a map sufficiently detailed to allow creation of an electronic shape file.
  - 1.4 The total number of B acres shall not exceed the number of A acres in any irrigation season.
  - 1.5 Application of water to B acres in the fall is limited to water necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting. Application of water to B acres shall not provide water to irrigate crops for harvest in the same fall.
  - 1.6 The B acres identified for fall irrigation in any year shall be included in the 527.2 cropped acres for the subsequent season.
  - 1.7 The watermaster of Water District 140 shall monitor the place of use and regulate the use of water under the approved transfers pursuant to these conditions of approval. The watermaster of Water District 140 shall coordinate delivery and regulation with the watermaster of Water District 45-A of the surface water rights covered by transfer No. 66133.
  - 1.8 Original conditions of approval associated with transfer No. 66132 and transfer No. 66133 that are in the standard form of: "This right is limited to the irrigation of ### acres within the place of use described above in a single irrigation season", shall be amended to the form of: "This right is limited to the irrigation of ### acres within the place of use described above in accordance with the attached Irrigation Plan."
16. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
17. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
18. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-586****As Modified by Transfer No. 89618**

In accordance with the approval of Transfer No. 89618, Water Right No. 45-586 is now described as follows:

**Right Holder:** H & E HOLDINGS LLC  
1249 S HIGHWAY 27  
OAKLEY, ID 83346-9755

**Priority Date:** 12/31/1879

**Source:** MILL CREEK  
**Source:** SPRING CREEK

**Tributary:** MILL CREEK

| <b>BENEFICIAL USE</b> | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 1.600 cfs             |                         |
| STOCKWATER            | 01/01       | to 12/31  | 0.120 cfs             | 6.7 af                  |
| STOCKWATER STORAGE    | 01/01       | to 12/31  | 0.120 cfs             | 11.0 af                 |
|                       |             |           | 1.600 cfs             | 6.7 af                  |

**LOCATION OF POINT(S) OF DIVERSION**

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| MILL CREEK   | SWSENE      | Sec 10 Twp 14S Rge 23E | CASSIA County |
| SPRING CREEK | NESWSE      | Sec 3 Twp 14S Rge 23E  | CASSIA County |
| SPRING CREEK | L1 (NWNENE) | Sec 4 Twp 14S Rge 23E  | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE  |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |    | Totals |
|-----|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|----|--------|
| Twp | Rng | Sec | NE  | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE |        |
| 13S | 23E | 20  |     |      |      | 32.0 |      |      |      |      |      |      |      | 35.0 | 32.0 | 35.0 | 32.0 |    | 166.0  |
| 13S | 23E | 21  |     |      |      |      |      |      | 40.0 |      |      | 40.0 | 40.0 |      |      |      |      |    | 120.0  |
| 13S | 23E | 28  |     | 34.0 | 33.0 |      | 33.0 | 11.0 | 5.5  | 34.0 | 38.0 | 29.0 | 35.0 |      |      | 36.0 |      |    | 323.5  |
| 13S | 23E | 29  | 4.4 | 35.0 | 39.0 | 38.0 | 34.0 |      |      | 35.0 | 35.0 |      |      |      | 40.0 | 36.0 |      |    | 296.4  |

Right Acre Limit: 166.2

POU Total Acres: 905.9

**PLACE OF USE: STOCKWATER**

|     |     |     | NE |     |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 23E | 17  | X  | X   | X  | X  | X  |    |    | X  |    |    |    | X  | X  | X  | X  | X  | 0      |
| 13S | 23E | 19  | X  | X   |    | X  |    |    |    |    |    |    |    |    |    |    |    |    | 0      |
|     |     |     |    | L 1 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0      |
| 13S | 23E | 20  | X  | X   | X  | X  | X  | X  | X  | X  | X  | X  |    | X  | X  | X  | X  | X  | 0      |
| 13S | 23E | 21  | X  | X   |    |    | X  | X  | X  |    |    | X  | X  |    |    |    |    |    | 0      |
| 13S | 23E | 27  |    |     |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    | 0      |
| 13S | 23E | 28  | X  | X   | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |    | X  |    |    | 0      |
| 13S | 23E | 29  | X  | X   | X  | X  | X  |    |    | X  | X  |    |    |    | X  | X  |    | X  | 0      |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0      |

Transfer No. 89618

**WATER RIGHT NO. 45-586**  
**As Modified by Transfer No. 89618**

**PLACE OF USE: STOCKWATER STORAGE**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 13S | 23E | 28  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  |    | 0      |

**CONDITIONS OF APPROVAL**

1. Use of water under this right will 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. 45A.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 45-586, 45-587, and 45-588 when combined shall not exceed the irrigation of 166.2 acres.
4. Rights 45-14216, 45-586, 45-587, 45-588, and 45-12929 when combined shall not exceed a total diversion rate of 3.83 cfs.
5. Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, and 45-12927 when combined shall not exceed the irrigation of 527.2 acres.
6. Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, 45-12927, 45-2405, 45-2406, 45-2661, 45-12928 and 45-12930 when combined shall not exceed the irrigation of 527.2 acres within the place of use in a single irrigation season. The specific 527.2 acres to be irrigated by the right holder shall be identified prior to each irrigation season by submitting to IDWR a land list and a representative electronic shape file or a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights.
7. Right 45-12929 is an enlargement of Rights 45-14216, 45-586, 45-587, & 45-588 pursuant to Section 42-1426, Idaho Code.
8. During times of low flow when the quantity of water is not sufficient to fill all the December 31, 1879 priority rights from the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, the practice of delivery by rotation among individual appropriators within groups of water users may occur by agreement of the parties, or according to common practice and usage, provided that no water right user shall be denied the right to receive water on a continuous flow basis by reason of this decree.

**WATER RIGHT NO. 45-586**

**As Modified by Transfer No. 89618**

**CONDITIONS OF APPROVAL**

9. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.
10. 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.
11. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
12. The use of this right is subject to the Amended Order Amending Transfer Approval dated July 20, 2010 with additional conditions as follows: (Continued)
  2. Failure to adhere to the conditions of use and timelines set forth on the IRRIGATION PLAN shall be cause for this amended approval to be revoked with prejudice and the transfers to revert back to the approval established in the orders dated December 2, 2009.
13. Rights 45-14216, 45-586, 45-587, 45-588, and 45-12929 when combined shall not exceed the irrigation of 289.2 acres.
14. Rights 45-14216, 45-586, 45-587, 45-588, 45-12929, 45-577A, 45-577B, 45-578A, 45-578B, 45-579A, 45-579B, 45-580A, 45-580B, 45-600, and 45-12927 when combined shall not exceed a total diversion rate of 6.93 cfs.

**WATER RIGHT NO. 45-586**

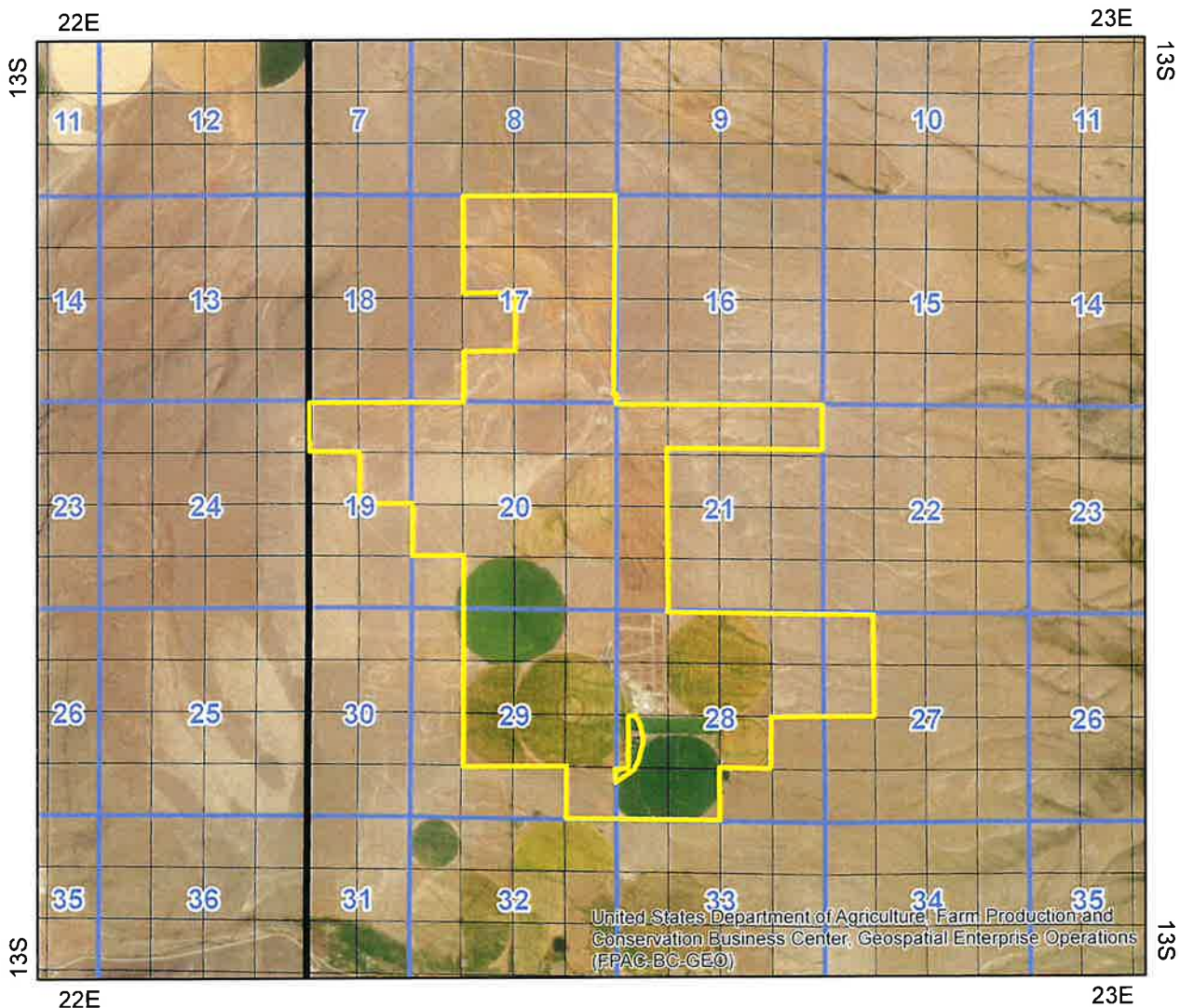
**As Modified by Transfer No. 89618**

**CONDITIONS OF APPROVAL**

15. The use of this right is subject to the Amended Order Amending Transfer Approval dated July 20, 2010 with additional conditions as follows:
  1. The use of water is subject to the attached IRRIGATION PLAN.
  - 1.1 Prior to August 31, 2010 the applicant shall report directly to the Department and the watermaster of Water District 140 the location of the 527.2 acres initially irrigated from March 15, 2010 to August 31, 2010. The applicant shall also report that portion of the 527.2 acres intended to be dried up (defined as A acres under the plan) in exchange for irrigation of other lands between September 1 and November 15 of 2010 (defined as B acres under the plan) necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting.
  - 1.2 Beginning in 2011 and for each successive year, the applicant shall report directly to the Department and the watermaster of Water District 140 prior to May 1, the location of the 527.2 acres of crops that will be irrigated between March 15 and August 31. The applicant shall also report prior to August 31, the location and number of the A acres (that portion of the 527.2 acres to be dried up on or before August 31), and the number and location of the B acres (the acres to be irrigated in the fall between September 1 and November 15).
  - 1.3 Identification or reporting to the Department and the Water District 140 watermaster of the 527.2 cropped acres, the A acres, and the B acres shall be in the form of a land list and a map sufficiently detailed to allow creation of an electronic shape file.
  - 1.4 The total number of B acres shall not exceed the number of A acres in any irrigation season.
  - 1.5 Application of water to B acres in the fall is limited to water necessary to prepare soil for tilling, for application of chemicals, or for establishing fall planting. Application of water to B acres shall not provide water to irrigate crops for harvest in the same fall.
  - 1.6 The B acres identified for fall irrigation in any year shall be included in the 527.2 cropped acres for the subsequent season.
  - 1.7 The watermaster of Water District 140 shall monitor the place of use and regulate the use of water under the approved transfers pursuant to these conditions of approval. The watermaster of Water District 140 shall coordinate delivery and regulation with the watermaster of Water District 45-A of the surface water rights covered by transfer No. 66133.
  - 1.8 Original conditions of approval associated with transfer No. 66132 and transfer No. 66133 that are in the standard form of: "This right is limited to the irrigation of ### acres within the place of use described above in a single irrigation season", shall be amended to the form of: "This right is limited to the irrigation of ### acres within the place of use described above in accordance with the attached Irrigation Plan."
16. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
17. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
18. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**State of Idaho**  
**Department of Water Resources**

This map depicts the STOCKWATER 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.



United States Department of Agriculture, Farm Production and  
Conservation Business Center, Geospatial Enterprise Operations  
(FPAC-BC-GE0)

A horizontal number line representing distance in miles. It starts at 0 on the left and ends at 2 Miles on the right. Major tick marks are labeled at 0, 0.5, 1, and 2 Miles. There are 10 equal intervals between 0 and 1, and 10 equal intervals between 1 and 2. Each interval represents 0.1 miles. There are 19 small tick marks in total, one at each interval boundary.

-  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](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

June 5, 2025

H & E HOLDINGS LLC  
1249 S HIGHWAY 27  
OAKLEY ID 83346-9755

Re: Transfer No: 89618  
Water Right No(s): 45-586, 45-708, 45-14216

**Transfer Approval Notice**

Dear Water Right Holder and other Interested Persons:

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

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

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

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

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

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

Sincerely,



Corey Skinner  
Southern Regional Manager

Enclosure

c:

LUKE H MARCHANT  
DARRINGTON LAW PLLC  
PO BOX 536  
RUPERT ID 83350-0536

METROPOLITAN LIFE INSURANCE COMPANY  
AGRICULTURAL INVESTMENTS  
10801 MASTIN ST STE 930  
OVERLAND PARK KS 66210-1677

METROPOLITAN LIFE INSURANCE CO  
C/O METLIFE INVESTMENT MANAGEMENT LLC  
10801 MASTIN ST STE 700  
OVERLAND PARK KS 66210-1673

WATER DISTRICT 45A  
WENDY WELLS  
2066 S 50 E  
OAKLEY ID 83346-8705

WATER DISTRICT 140  
JAXON HIGGS  
355 W 500 S  
BURLEY ID 83318-5229

## CERTIFICATE OF SERVICE

I hereby certify that on June 5, 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.: 89618  
Water Right No(s): 45-586, 45-708, 45-14216

H & E HOLDINGS LLC  
1249 S HIGHWAY 27  
OAKLEY ID 83346-9755

LUKE H MARCHANT  
DARRINGTON LAW PLLC  
PO BOX 536  
RUPERT ID 83350-0536

METROPOLITAN LIFE INSURANCE COMPANY  
AGRICULTURAL INVESTMENTS  
10801 MASTIN ST STE 930  
OVERLAND PARK KS 66210-1677

METROPOLITAN LIFE INSURANCE CO  
C/O METLIFE INVESTMENT MANAGEMENT LLC  
10801 MASTIN ST STE 700  
OVERLAND PARK KS 66210-1673

WATER DISTRICT 45A  
WENDY WELLS  
2066 S 50 E  
OAKLEY ID 83346-8705

WATER DISTRICT 140  
JAXON HIGGS  
355 W 500 S  
BURLEY ID 83318-5229



Denise Maline  
Administrative Assistant

## **EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER**

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

(Required by Rule of Procedure 730.02)

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

### **PETITION FOR RECONSIDERATION**

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

### **EXCEPTIONS AND BRIEFS**

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

### **REQUEST FOR HEARING**

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

### **ORAL ARGUMENT**

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

## **CERTIFICATE OF SERVICE**

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

## **FINAL ORDER**

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

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

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

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

## **APPEAL OF FINAL ORDER TO DISTRICT COURT**

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

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

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

## MEMORANDUM

**Date:** April 9, 2025  
**To:** Transfer 89618  
**From:** Bill Mills  
**Re:** Evaluation of Sufficiency Memorandum

---

Application proposes changing a stockwater place of use (POU) for the stockwater portions of three surface water rights (0.24 cfs) to add new grounds to the POU. There will be no changes to points of diversion or irrigation portions of the water rights. Current POUs and proposed POU are located approximately 3.5 to 6.3 miles east and 1.0 to 4.0 miles north of Oakley.

Points of diversion (PODs) are located in Water Districts 45A and 140, Watermaster comments were solicited and the watermaster for Water District 45A did not oppose approval of this application. No response received from the watermaster for Water District 140. PODs and POUs are also located within the Oakley Kenyon Critical Groundwater Management Area.

- **Authority to File:** Applicant is the current owner of the water rights and associated properties.
- **Water Right Validity:** Water rights were decreed in the SRBA on or before 10/29/201012/4/2001. Recent aerial imagery indicates there may be stockwater use at the current POUs.
- **Injury to Other Water Rights:**  
None anticipated.
- **Enlargement of Use:**  
None anticipated.

- **Local Public Interest:**  
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**  
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**  
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**  
None Anticipated.

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

**State of Idaho**  
**Department of Water Resources**  
**RECOMMENDATION FORM**

**RECEIVED**

**APR 03 2025**

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

Re: Transfer No. 89618

Water Right No(s): 45-586, 45-708 & 45-14216

Transfer Applicant's Name: H & E HOLDINGS LLC  
1249 S HIGHWAY 27  
OAKLEY ID 83346-9755

**Watermaster's Recommendation:**

- a) X I do not oppose approval of this application.
- b) \_\_\_\_\_ I do not oppose approval of this application if it is conditioned as follows:
- c) \_\_\_\_\_ I oppose approval of this application for the following reasons:
- d) \_\_\_\_\_ Additional comments:

Dated this 31<sup>st</sup> day of March, 2025

**Water District 45A**

Wendy Wells

Watermaster's Signature

Wendy Wells

Printed Name

**AFFIDAVIT OF PUBLICATION**

**Magic Valley Times-News**  
132 Fairfield ST W, Twin Falls, ID 83301  
(208) 735-3253

State of Florida, County of Broward, ss:

I, Justin Mattos, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Magic Valley Times-News, a newspaper printed and published at Twin Falls on Tuesday, Thursday and Saturday, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

**Publication Dates:**

- Mar 20, 2025
- Mar 27, 2025

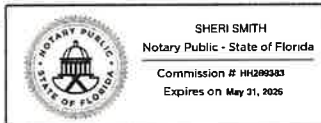
**Notice ID:** AB054KMcGol2VTTSWdeb

**Notice Name:** Legal Notice 89596, 89618, 89621

**Publication Fee:** \$212.70

*Justin Mattos*

Agent

**VERIFICATION**

State of Florida  
County of Broward

Signed or attested before me on this: 04/01/2025

*S. Smith*

Notary Public

Notarized remotely online using communication technology via Proof.

✓ DM 4/1/2025

**RECEIVED****APR 01 2025****DEPT OF WATER RESOURCES  
SOUTHERN REGION**

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 89596**

MOUNTAIN VIEW LAND LLC, 695 N 700 E, RUPERT, ID 83350-8407 has filed Application No. 89596 for changes to the following water rights within LINCOLN & MINIDOKA County(s): Right No(s). 36-13610, 36-13611, 36-16376, 36-17192, 36-7273B, 36-7460L, 36-7646. The purpose of the transfer is to change a portion of the above rights as follows: The application proposes to transfer a 0.20 cfs & 99 acre-foot portion of a water right from an existing feedlot located approximately 2 miles north and 15.5 to 16.5 miles west of Minidoka to an existing dairy facility located approximately 2.5 miles south and 1.75 to 2.5 miles west of Minidoka. The application also proposes to modify the existing water rights (2.92 cfs & 528 acre-feet) at the dairy facility to allow for the drilling of two new wells at the dairy.

**TRANSFER NO. 89618**

H & E HOLDINGS LLC, 1249 S HIGHWAY 27, OAKLEY, ID 83346-9755 has filed Application No. 89618 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14216, 45-586, 45-708. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing a stockwater place of use (POU) for the stockwater portions of three surface water rights (0.24 cfs) to add new grounds to the POU. There will be no changes to points of diversion or irrigation portions of the water rights. Current POUs and proposed POU are located approximately 3.5 to 6.3 miles east and 1.0 to 4.0 miles north of Oakley.

**TRANSFER NO. 89621**

GLOBAL AG PROPERTIES II USA LLC, 2004 FOX DR STE L, CHAMPAIGN, IL 61820-7346 has filed Application No. 89621 for changes to the following water rights within LINCOLN & MINIDOKA County(s): Right No(s). 36-11290, 36-11340, 36-15366B, 36-15366C, 36-15366D, 36-15456A, 36-15456B, 36-15567, 36-15613, 36-15615, 36-15617, 36-15619, 36-15621, 36-15623, 36-16351, 36-16352, 36-16353, 36-16366, 36-16386, 36-16387, 36-16454, 36-16456, 36-16475, 36-16582, 36-16690, 36-16691, 36-16815, 36-2058B, 36-2058C, 36-2058D, 36-2075B, 36-2075D, 36-2075E, 36-2075F, 36-2191, 36-2193, 36-2233D, 36-2233G, 36-2410B, 36-2410C, 36-2410D, 36-2454B, 36-2530A, 36-2530B, 36-2591, 36-2619, 36-2620, 36-2653B, 36-2653N, 36-2653P, 36-2653Q, 36-4006, 36-7007B, 36-7021A, 36-7021C, 36-7041, 36-7391, 36-7580B, 36-7580C, 36-7580D, 36-7611B, 36-7795A, 36-7795B, 36-7830B, 36-8068B, 36-8068D, 36-8068E, 36-8068F, 36-8069N, 36-8069P, 36-8069Q, 36-8274A, 36-8274B, 36-8275B, 36-8404, 36-8475, 36-8777, 36-8778. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a point of diversion (POD) to 78 irrigation water rights with a combined Permissible Place of Use of 11,002.5 acres located northwest of the town of Minidoka. The new POD will be an existing well currently located on land owned by the applicant and will be limited to a flow rate of 6.7 cfs. The well is located approximately 6.6 miles north and 6.2 miles west from the town of Minidoka.

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 **April 7, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director  
Publish: March 20, 27, 2025  
COL-NV-1627

DM 4/1/2025

## Maline, Denise

---

**From:** Dawson,Bradley  
**Sent:** Thursday, March 13, 2025 3:13 PM  
**To:** Maline, Denise  
**Subject:** RE: Comment Letter for Transfer #89618 - H & E Holdings LLC

Hi Denise, we don't have any comments. Thanks.

**From:** Maline, Denise <Denise.Maline@idwr.idaho.gov>  
**Sent:** Thursday, March 13, 2025 1:01 PM  
**To:** Dawson,Bradley <bradley.dawson@idfg.idaho.gov>  
**Subject:** Comment Letter for Transfer #89618 - H & E Holdings LLC

Hi Bradley,

Attached is an application for transfer currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding this information, please feel free to contact Bill Mills at our office.

Thank you in advance,

Denise @ 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](mailto:denise.maline@idwr.idaho.gov)