

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89897**

This is to certify that: ISLAND PARK HOSPITALITY LLC
825 N 300 W STE 104
SALT LAKE CTY, UT 84103-1458

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>
35-14923	WR/DECREED	11/3/1952	1.460 cfs	552.0 af	N/A	138.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
35-2276B	WR/DECREED	11/3/1952	0.040 cfs	N/A		N/A	GROUND WATER
35-13473	WR/DECREED	11/3/1952	0.080 cfs	32.0 af		8.0	GROUND WATER
35-13474	WR/DECREED	11/3/1952	1.690 cfs	640.0 af		160.0	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>
35-14923	YES	YES	YES	NO	NO	YES

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>
35-14923	21-13345	0.010 cfs	2.8 af	N/A	N/A	35-14923	1.450 cfs	548.0 af	N/A	137.0
COMBINED TOTALS		0.010 cfs	2.8 af	N/A	N/A		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 8th day of December, 2025.


Water Resources Program Manager

Transfer No. 89897

**Support Data
In File # 35-14923**

WATER RIGHT NO. 35-14923
As Modified by Transfer No. 89897

In accordance with the approval of Transfer No. 89897, Water Right No. 35-14923 is now described as follows:

Right Holder: BRIAN ROWLAN AND
 JESSICA ROWLAN
 2146 W 850 S
 STERLING, ID 83210-1565

Priority Date: 11/3/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	1.450 cfs	548.0 af
			1.450 cfs	548.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SEWNNE	Sec 15 Twp 03S Rge 32E	BINGHAM County
GROUND WATER	SWNENW	Sec 15 Twp 03S Rge 32E	BINGHAM 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	
03S	32E	15	31.0	28.0	38.0	40.0													137.0

POU Total Acres: 137.0

CONDITIONS OF APPROVAL

1. Rights 35-2276B, 35-13473, 35-13474 and 35-14923 when combined shall not exceed a total diversion rate of 3.22 cfs.
2. 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. 21-13345

As Modified by Transfer No. 89897

In accordance with the approval of Transfer No. 89897, Water Right No. 21-13345 is now described as follows:

Right Holder: BRIAN ROWLAN AND
JESSICA ROWLAN
2146 W 850 S
STERLING, ID 83210-1565

Priority Date: 11/3/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	04/01	to 10/31	0.010 cfs	2.8 af
			0.010 cfs	2.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L5 (NWNW) Sec 36 Twp 14N Rge 43E FREMONT County

CONDITIONS OF APPROVAL

1. Place of use is within the area served by the public water supply system of Island Park Hospitality LLC. The place of use is generally located within Sections 35 and 36, Township 14N, Range 43E.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
4. This right does not grant any right-of-way or easement across the land of another.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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. 35-2276B

As Modified by Transfer No. 89897

In accordance with the approval of Transfer No. 89897, Water Right No. 35-2276B is now described as follows:

Right Holder: DENNIS L WALKER
2035 W 200 S
PINGREE, ID 83262

Priority Date: 11/3/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
DOMESTIC	1/01	to 12/31	0.040 cfs 0.040 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 15 Twp 03S Rge 32E BINGHAM 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	
03S	32E	15		X															

CONDITIONS OF APPROVAL

1. Rights 35-2276B, 35-13473, 35-13474 and 35-14923 when combined shall not exceed a total diversion rate of 3.22 cfs.
2. The quantity of water under this right shall not exceed 13,000 gallons per day.
3. The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. Domestic use is for 1 home.
5. Stockwater use is for 300 range cattle.
6. 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.

Transfer No. 89897

WATER RIGHT NO. 35-13473**As Modified by Transfer No. 89897**

In accordance with the approval of Transfer No. 89897, Water Right No. 35-13473 is now described as follows:

Right Holder: DENNIS L WALKER
2035 W 200 S
PINGREE, ID 83262

Priority Date: 11/3/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.080 cfs	32.0 af
			0.080 cfs	32.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SEWNNE	Sec 15 Twp 03S Rge 32E	BINGHAM County
GROUND WATER	SWNENW	Sec 15 Twp 03S Rge 32E	BINGHAM 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	
03S	32E	15		8.0															8.0

POU Total Acres: 8.0

CONDITIONS OF APPROVAL

1. Rights 35-2276B, 35-13473, 35-13474 and 35-14923 when combined shall not exceed a total diversion rate of 3.22 cfs.
2. 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. 35-13474**As Modified by Transfer No. 89897**

In accordance with the approval of Transfer No. 89897, Water Right No. 35-13474 is now described as follows:

Right Holder: TERRY D REED AND
JULIE K REED
134 S 1900 W
PINGREE, ID 83262-1149

Priority Date: 11/3/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	1.690 cfs	640.0 af
			1.690 cfs	640.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SEWNNE	Sec 15 Twp 03S Rge 32E	BINGHAM County
GROUND WATER	SWNENW	Sec 15 Twp 03S Rge 32E	BINGHAM 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	
03S	32E	15					40.0	40.0	40.0	40.0									160.0

POU Total Acres: 160.0

CONDITIONS OF APPROVAL

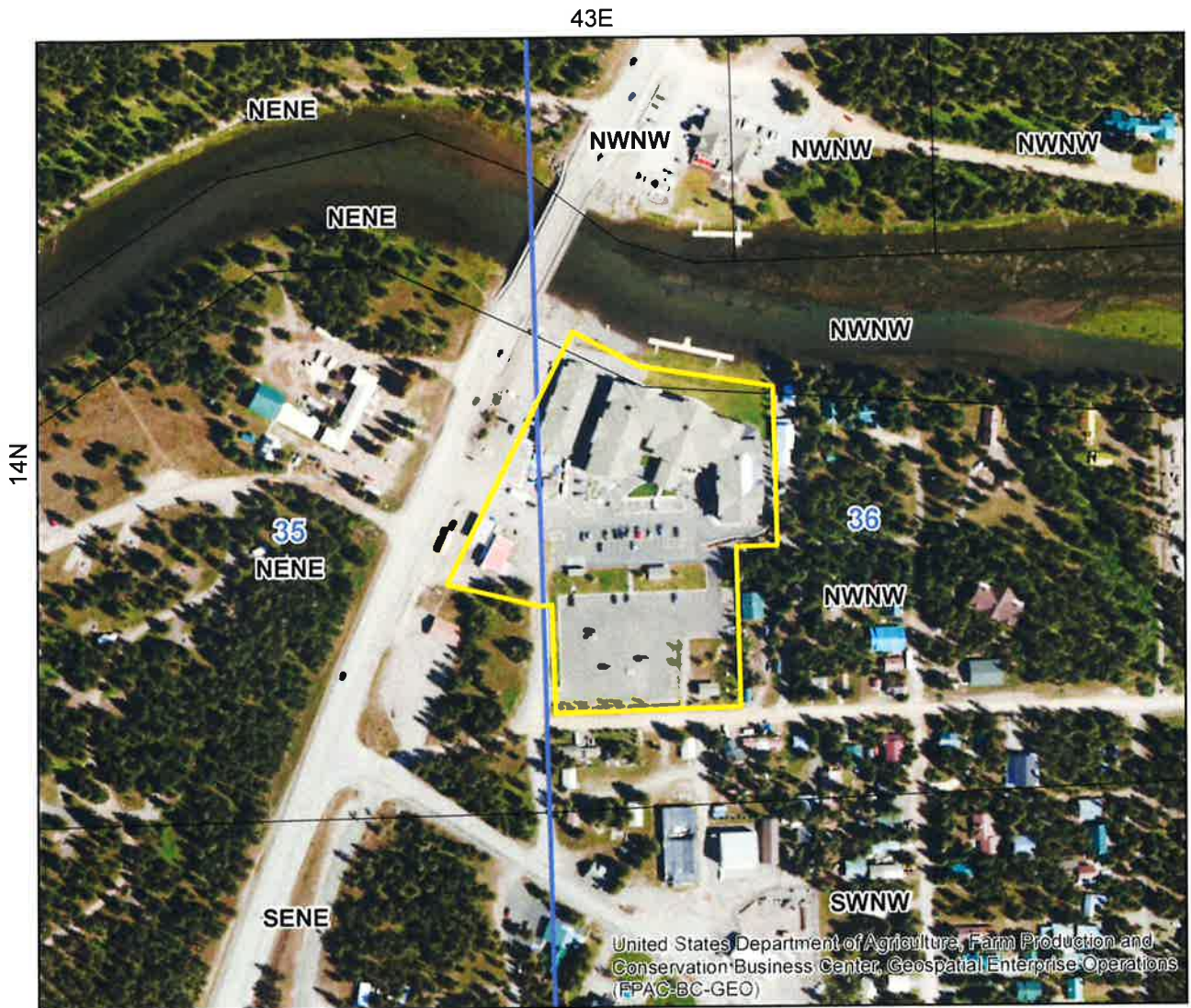
1. Rights 35-2276B, 35-13473, 35-13474 and 35-14923 when combined shall not exceed a total diversion rate of 3.22 cfs.
2. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water 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

Water Right

21-13345

Water Service Area Boundary for Island Park Hospitality



0 0.035 0.07 0.14 Miles

- Water Service Area Boundary
- State Outline
- Townships
- PLS Sections
- Quarter Quarters





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

December 08, 2025

ISLAND PARK HOSPITALITY LLC
825 N 300 W STE 104
SALT LAKE CTY UT 84103-1458

Re: Transfer No: 89897
Water Right No(s): 21-13345, 35-2276B , 35-13473, 35-13474, 35-14923

Transfer Approval Notice

Dear Water Right Holder:

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,



Christina Henman
Administrative Assistant

Enclosure
CC:

ROCKY MOUNTAIN ENVIRONMENTAL
ASSOC INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552

TERRY D REED
JULIE K REED
134 S 1900 W
PINGREE ID 83262-1149

FREMONT-MADISON IRRIGATION
DISTRICT
PO BOX 15
ST ANTHONY, ID 83445

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

JERRY RIGBY
RIGBY ANDRUS & RIGBY LAW PLLC
PO BOX 250
REXBURG, ID 83440

BRIAN ROWLAN
JESSICA ROWLAN
2146 W 850 S
STERLING ID 83210-1565

DENNIS L WALKER
2035 W 200 S
PINGREE ID 83262

CERTIFICATE OF SERVICE

I hereby certify that on December 08, 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.: 89897

Water Right No(s): 21-13345, 35-2276B , 35-13473, 35-13474, 35-14923

**ISLAND PARK HOSPITALITY LLC
825 N 300 W STE 104
SALT LAKE CTY UT 84103-1458**

**DENNIS L WALKER
2035 W 200 S
PINGREE ID 83262**

**ROCKY MOUNTAIN
ENVIRONMENTAL ASSOC INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552**

**TERRY D REED
JULIE K REED
134 S 1900 W
PINGREE ID 83262-1149**

**FREMONT-MADISON IRRIGATION
DISTRICT
PO BOX 15
ST ANTHONY, ID 83445**

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

**JERRY RIGBY
RIGBY ANDRUS & RIGBY LAW PLLC
PO BOX 250
REXBURG, ID 83440**

**BRIAN ROWLAN
JESSICA ROWLAN
2146 W 850 S
STERLING ID 83210-1565**



**Christina Henman
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.