Rev. 11/24

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

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

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

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

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

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

Name(s) of Applicant(s) Walker Investments Trust

Mailing Address 4718 E Goldstone Dr, Meridian, ID 83642

Email* bwalker@connxns.com **Phone** 602-432-6474

Name of Representative (if any) HDR

Mailing Address 412 E Parkcenter Blvd, Ste 100, Boise, ID 83706

Email* lori.graves@hdrinc.com **Phone** 208-387-7000

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

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

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

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

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

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

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

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

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

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

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

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

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

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

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

Current Location of Irrigated Acres to be Changed

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	11				2									26		34	34	96

Total Irrigated Acres to be Changed: 96

PART 3 – DESCRIPTION OF PROPOSED CHANGES

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

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

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

This application represents Lot 2, Walker Hills Subdivision, and is one of six being proposed.
Please see Attachment 1B for additional details.

C. Summary of Proposed Changes.

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

All	Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐	☑	63-35419	0.015/6.8	Irrigation	3/15 to 11/15	Ground Water
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

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

Total Amount of Water Rights Proposed to be Changed: 0.015 **cfs and/or** _____ **af.**

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

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

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

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

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
Y	2N	3W	11			SW	SE	Canyon	Ground Water	Lot 2 Well

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

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

Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	11															1.4		1.4

*1.4 acres irrigation within a 2.2-acre lot boundary. **Total Irrigated Acres:** *1.4

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

PART 4 – ADDITIONAL INFORMATION

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

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

A. Validity of Water Rights

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

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

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

☑ No.

B. Injury to Other Water Rights

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

63-3597F, 63-7156D, 63-35420

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

None

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

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

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

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

C. Enlargement in Use

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

Water rights 63-3597F and 63-7156D list the same POU but are not owned by the applicant and will not be used on the proposed POU.

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

Applicant purchased 15.15 acres in Section 11 SWSE of the PPU resulting in split rights 63-35419 and 63-35420 from parent rights 63-3597F and 63-7156D.

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

- ☑ Yes. Identify the water right(s) to be used for the continued irrigation.
  Yes, by water rights 63-3597F & 63-7156D outside of the W1/2 SW1/4 SE1/4
- ☐ No. The place of use for the portion to be changed will no longer be irrigated.
- ☐ N/A. The application does not propose to change the place of use for irrigation rights.

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

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

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

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

Yes	No	
☑	☐	currently leased to the Water Supply Bank? If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). Label the Form as Attachment 4C-7.
☐	☑	currently used in a mitigation plan limiting the use of water under the right?
☐	☑	subject to an agreement not to divert (CREP)?
☐	☑	currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

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

E. Conservation of Water Resources

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

Well (6-inch or 8-inch diameter), submersible pump, and pressurized irrigation system.

PART 5 – FILING FEE AND SIGNATURE

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

B. Affidavit of Applicant or Representative:

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Bob Walker	Robert Walker	06/16/25
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date

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

FOR DEPARTMENT USE ONLY

Fee Paid: $ 200.00 Receipt #: 121734 Date: 6-23-25 Receipted by: BM
Add'l Paid: $ Receipt #: Date: Receipted by:

ATTACHMENT 1B

TRANSFER NARRATIVE

89925

Part 1B – Transfer Narrative

Transfer applicant Walker Investments Trust has a pending application with Canyon County Planning and Zoning to develop a 15.15-acre parcel into a 6-lot residential subdivision. Each lot will have its own well providing water for domestic use and irrigation. Portions of changed water rights 63-35419 and 63-35420 will be appurtenant to Lots 5 and 6 with the remainder of 63-35419 split between Lots 1 – 4.

SRBA decrees for parent water rights 63-3597F and 63-7156D authorized the combined 1.02 cfs and 428.0 acre-feet (af) of groundwater for irrigation of 95.1 acres at 2N 3W Section 11 SWSE, SENE, NESE, and SESE. These rights were split by ownership change filed March 27, 2023, yielding child rights 63-35419 and 63-35420 owned by Walker Investments Trust and associated with parcel R30072010.

Rights 63-35419 and 63-35420 together authorize irrigation of 10 acres within a 96-acre place of use that is shared with rights 63-3597F and 63-7156D. When combined, all four rights are limited to 428.0 af for irrigation of 95.1 acres. The rights all list an acre limit, and the sum of these acre limits is 116 acres. Table 1 presents the four water rights and their associated quantities (cfs, af, acres). To avoid combined use limits with 63-3597F and 63-7156D on the changed water rights, this application proposes reducing right 63-35419 from 8 acres / 32 af to 6.6 acres / 26.2 af, and right 63-35420 from 2 acres / 8.6 af to 1.6 acres / 7.1 af. The reduction fraction of 0.82 is calculated from the combined use limit of 95.1 divided by 116 total acres. Table 1 presents the same reduction for 63-3597F and 63-7156D for display purposes only. This application does not propose adjusting the acres or volume for 63-3597F and 63-7156D. However, we request IDWR remove 63-35419 and 63-35420 from the combined use limits applied to 63-3597F and 63-7156D and adjust the combined use limits on these rights accordingly. Similarly, rights 63-3597F and 63-7156D can be removed from combined use limit conditions applied to the changed rights 63-35419 and 63-35420.

Table 1: Water rights and recommended adjustments to remove combined use limits.

					adjustment for acre & volume limits				
Owner	right	cfs	af	acres	adjusted acres	cfs	adjusted af	cfs/acre	af/acre
Walker	63-35419	0.07	32	8.0	6.6	0.07	26.2	0.011	4.00
Walker	63-35420	0.02	8.6	2.0	1.6	0.02	7.1	0.012	4.30
McDonough	63-3597F	0.65	312.2	78.5	64.4	0.65	256.0	0.010	3.98
McDonough	63-7156D	0.28	118.4	27.5	22.5	0.28	97.1	0.012	4.31
	Sum:	1.02	471.2	116	95.1	1.02	386		
	Combined Use Limit:	1.02	428.0	95.1					
	Acre adjustment fraction (95.1 / 116):			0.82					

Applicant is filing six transfer applications proposing water rights 63-35419 and 63-35420 be split into separate water rights and systems according to the water rights' split analysis's shown in Table 2 and Table 3 below. Upon approval of the transfer applications, each lot will have an appurtenant irrigation water right.

Right 63-35419 is limited to 6.6 acres. Lots 1 – 4 are each allotted 1.4 acres of this right for a sum of 5.6 acres. The remaining 1.0 acre of this right is split evenly between Lots 5 & 6 with each receiving 0.5

acre. Right 63-35420 is limited to 1.6 acres. This right is split evenly with 0.8 acre applied to each of Lots 5 & 6 such that these two lots will each have 1.3 acres of irrigation water rights.

The applicant proposes the following changes, identified in ~~strikeout~~ and underline, to the combined use condition applied to 63-3597F and 63-7156D, reflecting the 33.3 acre feet and 8.2 acres associated with 63-35419 and 63-35420 removed from the combined limit:

> "Rights 63-3597F~~,~~ & 63-7156D~~, 63-35419 & 63-35420~~ when combined shall not exceed a total annual maximum diversion volume of ~~428.0~~ 394.7 af for the irrigation of ~~95.1~~ 86.9 acres."

Table 2: Lots 1 – 4 Split Analysis

63-35419 SPLIT ANALYSIS

After Transfer

ACRES	% OF RT	CFS	ACRE-FT	CFS/ACRE	AF/ACRE*	OWNERSHIP
1.4	21%	0.015	5.6	0.011	4.00	Lot 1
1.4	21%	0.015	5.6	0.011	4.00	Lot 2
1.4	21%	0.015	5.6	0.011	4.00	Lot 3
1.4	21%	0.015	5.6	0.011	4.00	Lot 4
1.0	15%	0.011	4.0			Remaining for Lots 5 & 6
6.6	100%	0.070	26.2			TOTAL

WATER RIGHT ELEMENTS

CFS	0.07	
ACRES	6.6	(Reduced from 8 acres to avoid combined use limits)
ACRE-FEET	26	(Reduced from 32 to avoid combined use limits)
CFS/ACRE	0.011	
AF/ACRE	4.00	

Table 3: Lots 5 & 6 Split Analysis

63-35420 SPLIT ANALYSIS

After Transfer

ACRES	% OF RT	CFS	ACRE-FT	OWNERSHIP
0.8	50%	0.010	3.5	Lot 5
0.8	50%	0.010	3.5	Lot 6
0.0	0%	0.000	0.0	Remaining
1.6	100%	0.020	7.1	TOTAL

WATER RIGHT ELEMENTS

CFS	0.02	
ACRES	1.6	(Reduced from 2 acres to avoid combined use limits)
ACRE-FEET	7.1	(Reduced from 8.6 to avoid combined use limits)
CFS/ACRE	0.0122	
AF/ACRE	4.30	

63-35419 SPLIT ANALYSIS

After Transfer

ACRES	% OF RT	CFS	ACRE-FT	OWNERSHIP
0.5	7.6%	0.005	2.0	Lot 5
0.5	7.6%	0.005	2.0	Lot 6
5.6	84.8%	0.059	22.2	Remaining for Lots 1 - 4
6.6	100.0%	0.070	26.2	TOTAL

WATER RIGHT ELEMENTS

CFS	0.07	
ACRES	6.6	(Reduced from 8 acres to avoid combined use limits)
ACRE-FEET	26	(Reduced from 32 to avoid combined use limits)
CFS/ACRE	0.011	
AF/ACRE	4.00	

63-35419 & 63-35420 COMBINED

ACRES	CFS	ACRE-FT	CFS/ACRE	AF/ACRE	OWNERSHIP
1.3	0.015	5.5	0.012	4.2	Lot 5
1.3	0.015	5.5	0.012	4.2	Lot 6

89925

ATTACHMENT 1D

AUTHORITY TO SIGN

89925

2019-019703
RECORDED
05/09/2019 03:02 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=6 HCRETAL $15.00
TYPE: DEED
PIONEER TITLE CANYON - CALDWELL
ELECTRONICALLY RECORDED

Electronically Recorded - DO NOT Remove the County Stamped First Page as it is now Incorporated as Part of the original Document.

L78541 TB/SM

This document was signed in counter part

SPECIAL WARRANTY DEED

Mark McDonough, an unmarried man("**Grantor**"), for valuable consideration paid by Walker Investments Trust ("**Grantee**"), which has a current address of 25445 Jesmond Dene Rd, Escondido, CA, 92026 does hereby sell, transfer and convey unto Grantee, all of that certain real property located in Canyon County, Idaho, and described on Exhibit "A" attached hereto and incorporated herein ("**Property**").

The Property includes the following water rights:

A portion of Water Right No. 63-3597F, that is appurtenant to the Property for irrigation of 8.0 acres, for the diversion of 0.067 cfs at the point of diversion identified in Water Right No. 63-3597F.

A portion of Water Right No. 63-7156D, that is appurtenant to the Property for irrigation of 2.0 acres, for the diversion of 0.02 cfs at the point of diversion identified in Water Right No. 63-7156D.

Grantee shall pay all costs to transfer the above identified water rights with the Idaho Department of Water Resources.

No other portions of Water Right Nos. 63-3597F or 63-7156D or any other water rights are included with the Property and are retained by Grantor, to be transferred by Grantor to Grantor's adjacent property at Grantor's cost. Grantee shall apply with the Idaho Department of Water Resources for a new point of diversion for the water rights they are acquiring and shall be responsible for paying all costs to establish said new points of diversion.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate, right, title and interest in and to the Property.

To have and to hold, all and singular the Property together with its appurtenances unto Grantee and Grantee's successors and assigns forever, subject to any and all easements, restrictions, exceptions, agreements and encumbrances of record or appearing on the land as of the date of this instrument.

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate to any person other than Grantee and that such estate is at the time of the execution of this instrument free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor, subject to any and all easements, restrictions, exceptions, agreements and encumbrances of record or appearing on the land as of the date of this instrument.

SCANNED
MAY 31 2023

89925

IN WITNESS WHEREOF, the Grantor and Grantee have caused this instrument to be executed on their behalf by their respective officers thereunto duly authorized.

GRANTOR: Mark McDonough

Mark McDonough
Date: 05/08/19

The provisions of this Deed are hereby approved and accepted:

GRANTEE:
Walker Investments Trust

By_____
Bob, Walker, Trustee
Date: _____

89925

IN WITNESS WHEREOF, the Grantor and Grantee have caused this Instrument to be executed on their behalf by their respective officers thereunto duly authorized.

GRANTOR:

_____

By _____

[print name] _____

Its: _____

Date: _____

The provisions of this Deed are hereby approved and accepted:

GRANTEE:

WALKER INVESTMENTS TRUST

By ROBERT WALKER

[print name] ROBERT WALKER

Its: PRESIDENT

Date: 5/8/19

SCANNED

MAY 11 2023

89925

ACKNOWLEDGEMENTS

STATE OF ~~IDAHO~~ Utah
County of Davis } ss.

On this 8 day of May, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert Walker known or identified to me to be the President of Walker Investments Trust, the entity that executed the within instrument or the person who executed the instrument on behalf of said entity, and acknowledged to me that such entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for ~~Idaho~~ Utah
Residing at Farmington
My commission expires August 18, 2020

TAYLOR NEWTON
Notary Public - State of Utah
Comm. No. 690677
My Commission Expires on
Aug 18, 2020

Tyler Newton

089925

State of Idaho, County of Canyon

This record was acknowledged before me on May 8th, 2019 by Mark A. McDonough

Tiffany A Barrett

Signature of notary public

Commission Expires:

RESIDING IN: CALDWELL, IDAHO

MY COMMISSION EXPIRES 05/17/2020

TIFFANY A. BARRETT
COMMISSION #38155
NOTARY PUBLIC
STATE OF IDAHO

SCANNED
MAY 31 2023

089925

ATTACHMENT 2A

CURRENT WATER RIGHT REPORTS

89925

Page _____ of _____

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

Current Water Right No.: 63-35419

Current Owner: WALKER INVESTMENTS TRUST

Priority Date: 4/13/1967

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	0.067 CFS	32 AF
	Total Diversion	0.07 CFS	32 AF

Location of Point(s) of Diversion

GROUND WATER CANYON County	NW1/4SW1/4	Sec. 11,	Twp 02N,	Rge 03W B.M.
GROUND WATER CANYON County	NE1/4SE1/4	Sec. 11,	Twp 02N,	Rge 03W B.M.

Place of Use

IRRIGATION Within CANYON County

T02N R03W S11	SENE	2.00	T02N R03W S11	NESE	26.00
T02N R03W S11	SWSE	34.00	T02N R03W S11	SESE	34.00

Total Acres: 96

089925

Conditions of Approval:

1.	X61	The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 2/6/2009.
2.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4.		The actual total diversion rate is 0.067 cfs
5.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6.	X35	Rights 63-3597F, 63-7156D, 63-35419 & 63-35420 when combined shall not exceed a total annual maximum diversion volume of 428.0 af for the irrigation of 95.1 acres.
7.	X27	This right is limited to the irrigation of 8.0 acres within the place of use described above in a single irrigation season.
8.	T19	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.	004	This right does not grant any right-of-way or easement across the land of another.
10.	R65	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Decreed Date: 2/6/2009

089925

Page _____ of _____

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

Current Water Right No.: 63-35420

Current Owner: WALKER INVESTMENTS TRUST

Priority Date: 10/7/1968

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 11/01	0.02 CFS	8.6 AF
	Total Diversion	0.02 CFS	8.6 AF

Location of Point(s) of Diversion

GROUND WATER CANYON County	NE1/4SE1/4	Sec. 11,	Twp 02N,	Rge 03W B.M.
GROUND WATER CANYON County	NW1/4SW1/4	Sec. 11,	Twp 02N,	Rge 03W B.M.

Place of Use

IRRIGATION Within CANYON County

T02N R03W S11	SENE	2.00	T02N R03W S11	NESE	26.00
T02N R03W S11	SWSE	34.00	T02N R03W S11	SESE	34.00

Total Acres: 96

89925

Conditions of Approval:

1.	X61	The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and end date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2009.
2.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3.	004	This right does not grant any right-of-way or easement across the land of another.
4.	X35	Rights 63-3597F, 63-7156D, 63-35419 & 63-35420 when combined shall not exceed a total annual maximum diversion volume of 428.0 af for the irrigation of 95.1 acres.
5.	R65	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7.	X27	This right is limited to the irrigation of 2.0 acres within the place of use described above in a single irrigation season.
8.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9.	T19	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.

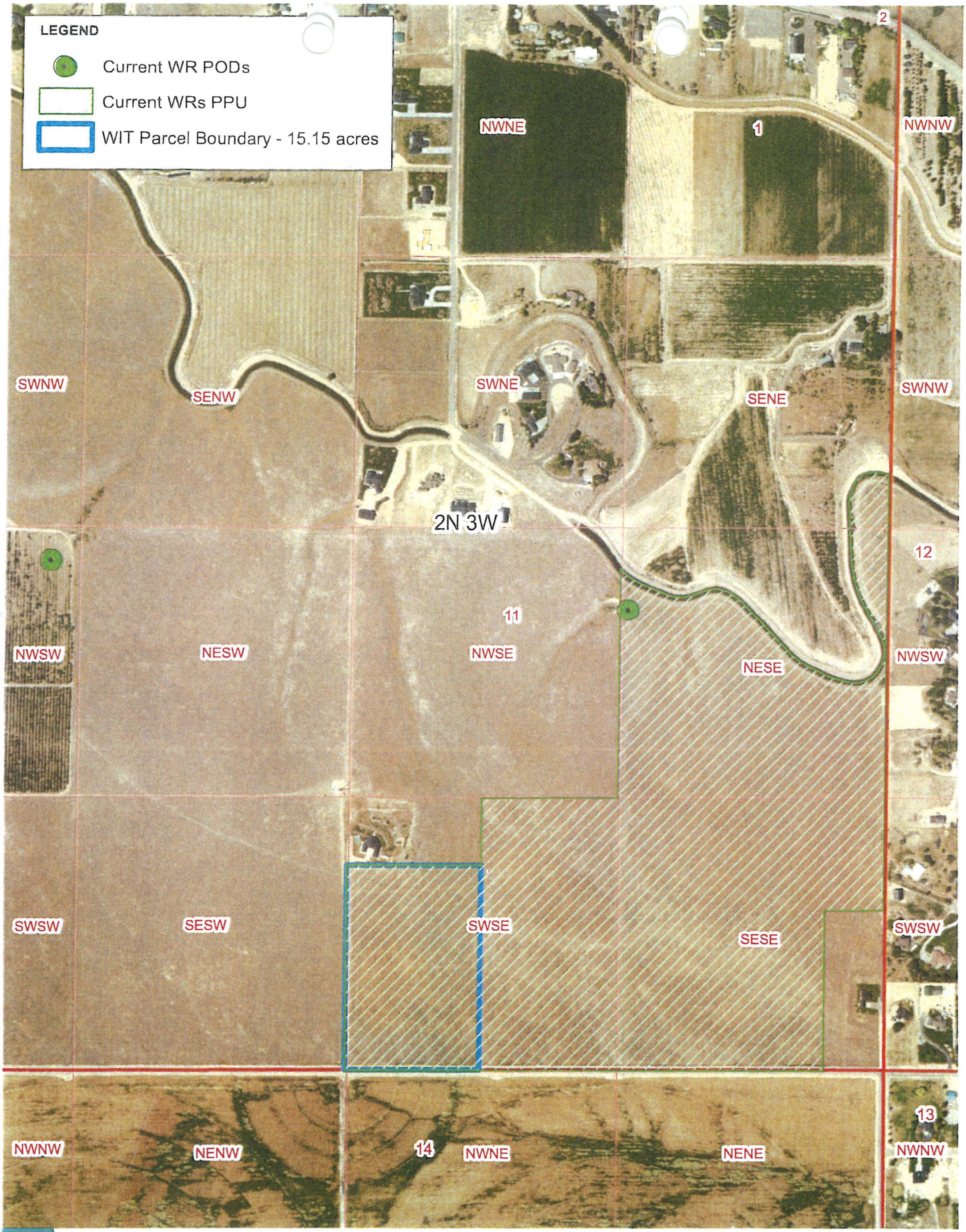
Decreed Date: 2/6/2009

89925

ATTACHMENT 2B

MAP OF CURRENT SYSTEM

89925



DATA SOURCE: Canyon NAIP 2023

0 Feet 1,000

N

ATTACHMENT 2B

WALKER HILLS SUBDIVISION

CURRENT WATER RIGHTS

PATH: S:\PROJECTS\S THRU Z PROJECTS\W PROJECTS\WALKER INVESTMENTS TRUST\10400143_S-LK-LOWELL-WRS\PROJECT\GIS\ARCMAP_PROJECTS\XFR ATTACH 2B.MXD - USER: LGRAVES - DATE: 5/21/2025

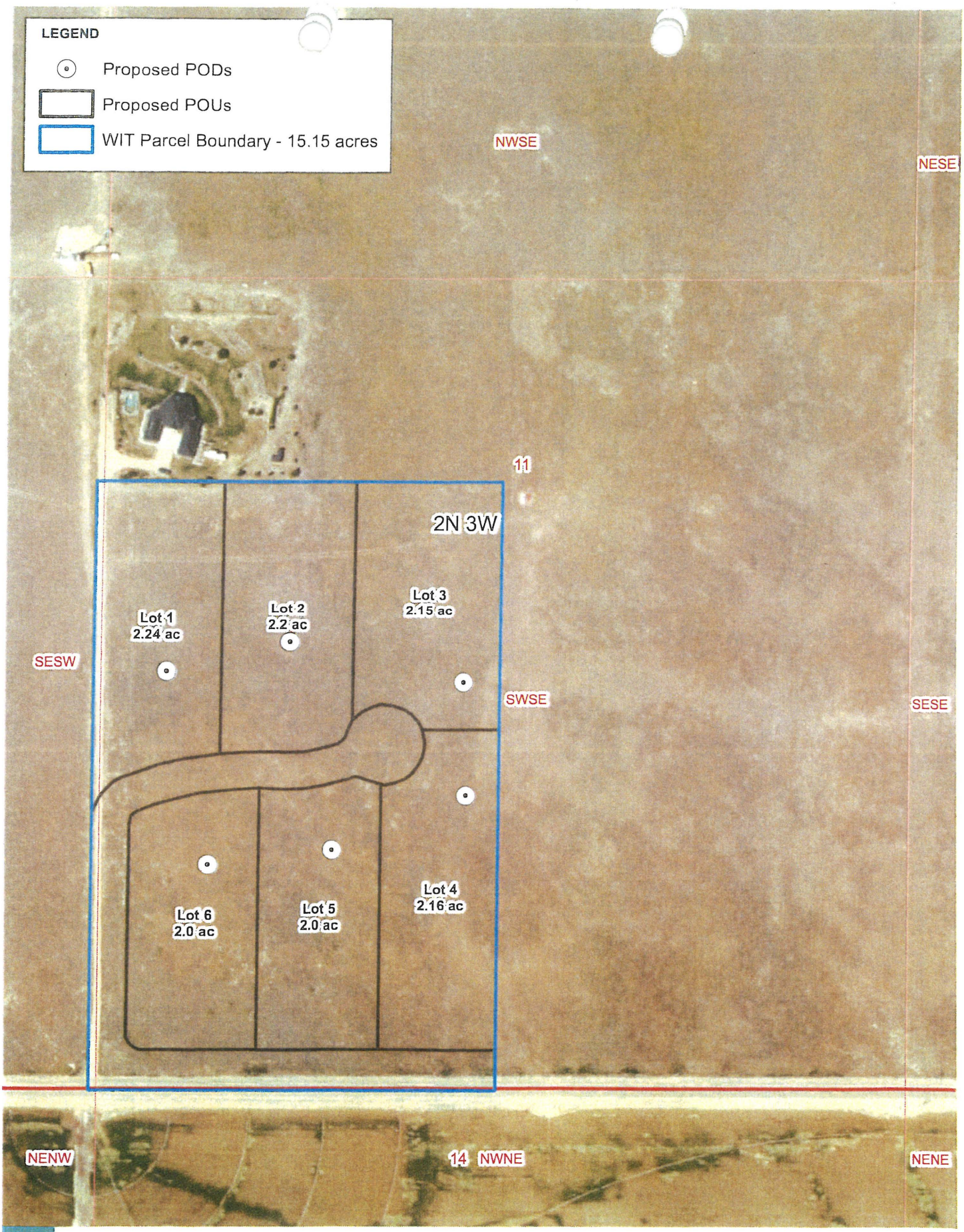
PROJECT #10400143

089525

ATTACHMENT 3C

MAP OF PROPOSED SYSTEM

089925



DATA SOURCE: Canyon NAIP 2023

0 Feet 300

N

ATTACHMENT 3C

WALKER HILLS SUBDIVISION

PROPOSED WATER RIGHTS

PATH: S:\PROJECTS\S THRU Z PROJECTS\W PROJECTS\WALKER INVESTMENTS TRUST\10400143_S-LK-LOWELL-WRS\PROJECT\GIS\ARCMAP_PROJECTS\XFR ATTACH 3C.MXD - USER: LGRAVES - DATE: 5/21/2025

PROJECT #10400143

09/14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

RECEIVED
JUL 14 2025
WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
ATTACHMENT WSB:
TRANSFERRING WATER RIGHTS LEASEDTO THE WATER SUPPLY BANK

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an Application to Lease a Water Right to the Water Supply Bank form, or they can request early termination of their lease contracts by completing a Request to Release a Water Right from the Water Supply Bank form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
63-35419	12/31/2025	0.07	32	8	Attached? ☑ or No Change ☐
~~63-35420~~	~~12/31/2025~~	~~0.02~~	~~8.6~~	~~2~~	Attached? ☑ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐

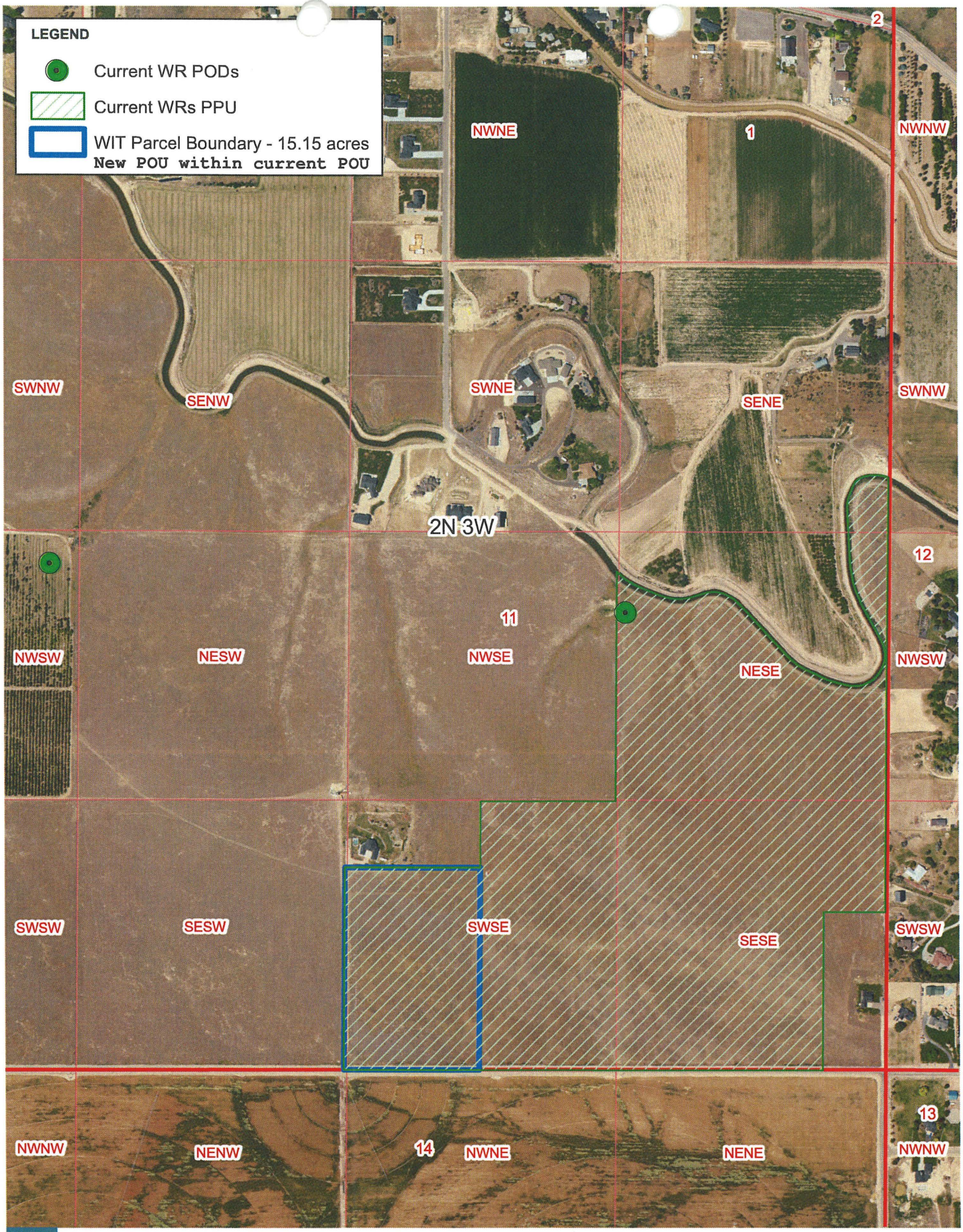
Is the ownership of the water right(s) leased to the Bank being changed? ☐ Yes ☑ No

☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.

Additional Information:
New POU is a part of the larger POU.

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

#89925



DATA SOURCE: Canyon NAIP 2023

0 Feet 1,000

N

ATTACHMENT 7B

WALKER HILLS SUBDIVISION

CURRENT WATER RIGHTS

PATH: S:\PROJECTS\S THRU Z PROJECTS\W PROJECTS\WALKER INVESTMENTS TRUST\10400143_S-LK-LOWELL-WRS\PROJECT\GIS\ARCMAP_PROJECTS\XFR ATTACH 2B.MXD - USER: LGRAVES - DATE: 5/21/2025

PROJECT #10400143

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Mathew Weaver**

September 17, 2025

WALKER INVESTMENTS TRUST
4718 E GOLDSTONE DR
MERIDIAN, ID 83642-5739

RE: Transfer No. 89916 – Water Right No. 63-35419
Transfer No. 89925 – Water Right No. 63-35733
Transfer No. 89928 – Water Right No. 63-35734
Transfer No. 89933 – Water Right No. 63-35735
Transfer No. 89934 – Water Right Nos. 63-35420, 63-35736
Transfer No. 89935 – Water Right Nos. 63-35737, 63-35738

Dear Applicant:

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

A legal notice of the application has been prepared and is scheduled for publication in the PRESS TRIBUNE on 9/18/2025 and 9/25/2025. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Lynne Evans
Administrative Assistant

CC: LORI GRAVES, HDR INC

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, September 11, 2025 8:23 PM
To: Idaho Press
Subject: Legal Notice: Transfer No. 89916, 89925, 89928, 89933, 89934, 89935
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Idaho Press Tribune on the dates indicated (9/18 & 9/25, once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/6/2025. Your cooperation is appreciated.

Thank you,

IDAHO DEPARTMENT OF WATER RESOURCES

Lynne Evans (she/her)
Administrative Assistant I
IDWR – Western Region
2735 W Airport Way, Boise ID 83705
lynne.evans@idwr.idaho.gov | (208) 605-4622

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 89916

WALKER INVESTMENTS TRUST, 4718 E GOLDSTONE DR, MERIDIAN, ID 83642-5739 has filed Application No. 89916 for changes to the following water right within CANYON County: Right No. 63-35419. The purpose of the transfer is to change a portion of the above right as follows:
to change the POD to the SWSE of Sec. 11, T02N, R03W, and reduce the authorized acres and volume on the face of the right to the proportion that correlates with the combined limit associated with rights 63-3597F & 63-7156D and unstack 63-35419 from those rights. Combined limits on 63-3597F & 63-7156D will be adjusted accordingly.

TRANSFER NO. 89925

WALKER INVESTMENTS TRUST, 4718 E GOLDSTONE DR, MERIDIAN, ID 83642-5739 has filed Application No. 89925 for changes to the following water right within CANYON County: Right No. 63-35733. The purpose of the transfer is to change a portion of the above right as follows:
to change the POD to the SWSE of Sec. 11, T02N, R03W, and reduce the authorized acres and volume on the face of the right to the proportion that correlates with the combined limit associated with rights 63-3597F & 63-7156D and unstack 63-35733 from those rights. Combined limits on 63-3597F & 63-7156D will be adjusted accordingly.

TRANSFER NO. 89928

WALKER INVESTMENTS TRUST, 4718 E GOLDSTONE DR, MERIDIAN, ID 83642-5739 has filed Application No. 89928 for changes to the following water right within CANYON County: Right No. 63-35734. The purpose of the transfer is to change a portion of the above right as follows:
to change the POD to the SWSE of Sec. 11, T02N, R03W, and reduce the authorized acres and volume on the face of the right to the proportion that correlates with the combined limit associated with rights 63-3597F & 63-7156D and unstack 63-35734 from those rights. Combined limits on 63-3597F & 63-7156D will be adjusted accordingly.

TRANSFER NO. 89933

WALKER INVESTMENTS TRUST, 4718 E GOLDSTONE DR, MERIDIAN, ID 83642-5739 has filed Application No. 89933 for changes to the following water right within CANYON County: Right No. 63-35735. The purpose of the transfer is to change a portion of the above right as follows:
to change the POD to the SWSE of Sec. 11, T02N, R03W, and reduce the authorized acres and volume on the face of the right to the proportion that correlates with the combined limit associated with rights 63-3597F & 63-7156D and unstack 63-35735 from those rights. Combined limits on 63-3597F & 63-7156D will be adjusted accordingly.

TRANSFER NO. 89934

WALKER INVESTMENTS TRUST, 4718 E GOLDSTONE DR, MERIDIAN, ID 83642-5739 has filed Application No. 89934 for changes to the following water rights within CANYON County: Right Nos. 63-35420, 63-35736. The purpose of the transfer is to change a portion of the above rights as follows:
to change the POD to the SWSE of Sec. 11, T02N, R03W, and reduce the authorized acres and volume on the face of the rights to the proportion that correlates with the combined limit associated with rights 63-3597F & 63-7156D and unstack 63-35420 & 63-35736 from those rights. Combined limits on 63-3597F & 63-7156D will be adjusted accordingly.

TRANSFER NO. 89935

WALKER INVESTMENTS TRUST, 4718 E GOLDSTONE DR, MERIDIAN, ID 83642-5739 has filed Application No. 89935 for changes to the following water rights within CANYON County: Right Nos. 63-35737, 63-35738. The purpose of the transfer is to change a portion of the above rights as follows:
to change the POD to the SWSE of Sec. 11, T02N, R03W, and reduce the authorized acres and volume on the face of the rights to the proportion that correlates with the combined limit associated with rights 63-3597F & 63-7156D and unstack 63-35737 & 63-35738 from those rights. Combined limits on 63-3597F & 63-7156D will be adjusted accordingly.

For additional information concerning the property locations, contact the Western Region office at (208)334-2190; or to see a full description of these rights and the proposed transfers, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 10/6/2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 9/18/2025 and 9/25/2025

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Mathew Weaver**

July 8, 2025

WALKER INVESTMENTS TRUST
4718 E GOLDSTONE DR
MERIDIAN ID 83642-5739

Re: Water Right Transfer Application Incomplete - Returned

Dear Applicant:

This office received your application on June 24, 2025. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- **Page 7 – Water Supply Bank (WSB) Supplemental Form** – Since you are requesting transfer of water right that is currently leased to the Water Supply Bank (63-35419), you will need to complete the WSB Transfer Form, add the completed form to the back of your original application and label it Attachment 4C-7. Then, mail the completed original application back to IDWR Western Region Office.

The original application is enclosed and I am including the Application for Transfer of Water Right in the Water Supply Bank form. Please fill out the WSB supplemental form and add it to your original application. Please return the original application to the IDWR Western Region Office within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. This letter is an attempt to ensure that your transfer application is complete and able to be processed. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-334-2190 and ask for the "office day person" if you have any questions about the necessary information or fee.

Sincerely,

Western Region Water Rights Staff

Enclosure(s): Original Application; Application for Transfer of Water Right (WSB Attachment) Form
CC: SCOTT N KING, HDR INC

HDR

June 20, 2025

RECEIVED
JUN 24 2025
WATER RESOURCES
WESTERN REGION

RECEIVED
JUN 20 2025
DEPARTMENT OF
WATER RESOURCES

IDWR State Office
PO Box 83720
Boise, ID 83720-0098

Subject: ***Water Right Applications for Transfer (6)***

Enclosed on behalf of Walker Investment Trust are six Applications for Transfer and check #141 in the amount of $1,400 for application fees.

Please let me know if there are any questions.

Sincerely,

HDR Engineering, Inc.

Scott N. King, P.E.
Project Manager

Cc: Robert Walker (via email)
Charlie Baser (via email)

Enclosers: Applications for Transfer, check

Project: 10400143