

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89232**

This is to certify that: **GOOD TIMBER RANCH LLC**
1300 GOOD TIMBER RANCH RD
VICTOR, ID 83455-5115

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>
22-14625	WR/LICENSE	4/8/1991	0.300 cfs	2.0 af	N/A	39.0	POLE CREEK
22-14626	WR/DECREED	11/2/1989	0.300 cfs	N/A	N/A	43.8	POLE CREEK
22-2279	WR/DECREED	9/9/1966	0.520 cfs	N/A	N/A	22.0	BIG SPRINGS, FOREST SPRING
22-683A	WR/DECREED	10/22/1901	1.750 cfs	N/A	N/A	43.8	POLE CREEK
22-7658	WR/LICENSE	12/9/1988	0.030 cfs	3.5 af	N/A	1.0	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>
22-14625	NO	NO	YES	NO	YES	YES
22-14626	NO	NO	YES	NO	YES	YES
22-2279	NO	YES	YES	NO	YES	YES
22-683A	NO	YES	YES	NO	YES	YES
22-7658	NO	NO	YES	NO	YES	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>
22-14625	22-14625	0.300 cfs	2.0 af	N/A	36.3	N/A	N/A	N/A	N/A	N/A
22-14626	22-14626	0.290 cfs	N/A	N/A	36.3	N/A	N/A	N/A	N/A	N/A
22-2279	22-2279	0.480 cfs	N/A	N/A	9.0	N/A	N/A	N/A	N/A	N/A
22-683A	22-683A	1.750 cfs	N/A	N/A	36.3	N/A	N/A	N/A	N/A	N/A
22-7658	22-7658	0.030 cfs	0.5 af	N/A	0.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.850 cfs	N/A	N/A	45.3		N/A	N/A	N/A	N/A

SUPPORT DATE /N F/LE 22-683A &
22-2279

Transfer No. 89232

SCANNED

MAR 23 2026

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 89232

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 19th day of March, 2026.



Regional Manager



Transfer No. 89232

Support Data
In File # 22-2279

WATER RIGHT NO. 22-7658**As Modified by Transfer No. 89232**

In accordance with the approval of Transfer No. 89232, Water Right No. 22-7658 is now described as follows:

Right Holder: GOOD TIMBER RANCH LLC
1300 GOOD TIMBER RANCH RD
VICTOR, ID 83455-5115

Priority Date: 12/9/1988

Source: SPRING

Tributary: LITTLE WARM CREEK

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
RECREATION STORAGE	01/01	to 12/31		0.5 af
DIVERSION TO STORAGE	04/15	to 10/15	0.030 cfs	
			0.030 cfs	0.5 af

LOCATION OF POINT(S) OF DIVERSION

SPRING NWSE Sec 22 Twp 03N Rge 45E TETON County

PLACE OF USE: RECREATION 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	
03N	45E	22														X			

CONDITIONS OF APPROVAL

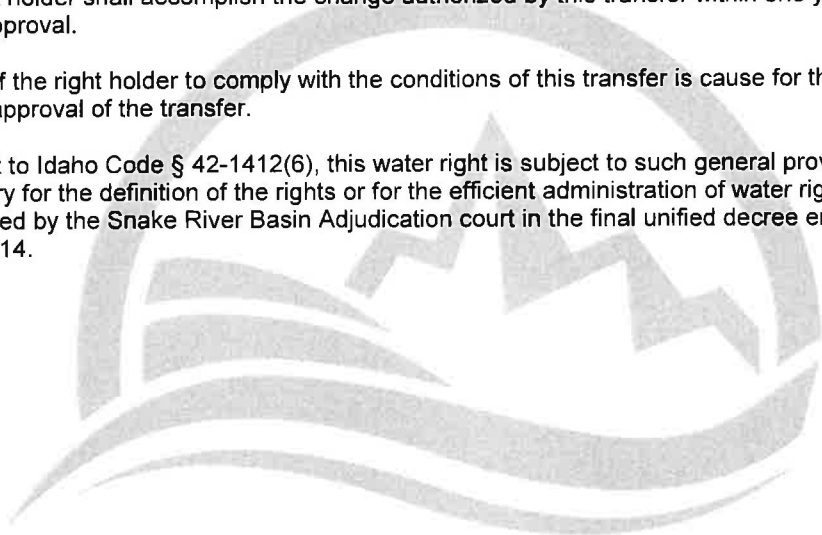
1. The diversion and use of water described in Transfer 89232 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
2. Rights 22-7658, 22-2279, 22-683A, and 22-14626 when combined shall not exceed a total diversion rate of 0.44 cfs for diversion to storage for the recreation storage pond and a total annual maximum diversion volume of 12.2 acre feet for recreation storage.
3. Right 22-7658 authorizes total annual storage volume of 0.5 acre-feet to be used for the initial filling or for the replacement of losses caused by evaporation for the pond authorized by water rights 22-2279, 22-683A, 22-7658, 22-14626, 22-14667 and 22-14683.
4. The pond established by the storage of water under this right shall not exceed a total capacity of 19.3 acre-feet or a total surface area of 3.0 acres.

Transfer No. 89232

WATER RIGHT NO. 22-7658
As Modified by Transfer No. 89232

CONDITIONS OF APPROVAL

5. 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. 01.
6. Source known locally as Glade Spring.
7. Point of diversion is located within Homestead Entry Survey No. 253 Tract A.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 22-2279
As Modified by Transfer No. 89232

In accordance with the approval of Transfer No. 89232, Water Right No. 22-2279 is now described as follows:

Right Holder: GOOD TIMBER RANCH LLC
 1300 GOOD TIMBER RANCH RD
 VICTOR, ID 83455-5115

Priority Date: 9/9/1966

Source: BIG SPRINGS
Source: FOREST SPRING

Tributary: LITTLE WARM CREEK
Tributary: LITTLE WARM CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	06/01	to 10/31	0.340 cfs	
RECREATION STORAGE	01/01	to 12/31		1.9 af
DIVERSION TO STORAGE	06/01	to 10/31	0.140 cfs 0.480 cfs	

LOCATION OF POINT(S) OF DIVERSION

BIG SPRINGS	NWSE	Sec 22 Twp 03N Rge 45E	TETON County
FOREST SPRING	L4 (NESW)	Sec 22 Twp 03N Rge 45E	TETON 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	
03N	45E	22									9.0								9.0

POU Total Acres: 9.0

PLACE OF USE: RECREATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	45E	22														X			

CONDITIONS OF APPROVAL

- The diversion and use of water described in Transfer 89232 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

Transfer No. 89232

WATER RIGHT NO. 22-2279
As Modified by Transfer No. 89232

CONDITIONS OF APPROVAL

2. Rights 22-7658, 22-2279, 22-683A and 22-14626 when combined shall not exceed a total diversion rate of 0.44 cfs for diversion to storage for the recreation storage pond and a total annual maximum diversion volume of 12.2 acre feet for recreation storage.
3. Right 22-2279 authorizes total annual storage volume of 1.9 acre-feet to be used for the initial filling or for the replacement of losses caused by evaporation for the pond authorized by water rights 22-2279, 22-683A, 22-7658, 22-14626, 22-14667 and 22-14683.
4. The pond established by the storage of water under this right shall not exceed a total capacity of 19.3 acre-feet or a total surface area of 3.0 acres.
5. 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. 01.
6. Property is also known as Homestead Entry Survey Nos. 252 (9 acres).
7. Place of use does not include federal public lands.
8. The use of water for irrigation under this right may begin as early as April 15, provided other elements of the right are not exceeded. The use of water before June 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 08/04/2010.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 22-683A**As Modified by Transfer No. 89232**

In accordance with the approval of Transfer No. 89232, Water Right No. 22-683A is now described as follows:

Right Holder: GOOD TIMBER RANCH LLC
1300 GOOD TIMBER RANCH RD
VICTOR, ID 83455-5115

Priority Date: 10/22/1901

Source: POLE CREEK

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	1.520 cfs	
DIVERSION TO STORAGE	04/15	to 10/31	0.230 cfs	
RECREATION STORAGE	01/01	to 12/31	1.750 cfs	11.7 af

LOCATION OF POINT(S) OF DIVERSION

POLE CREEK L4 (SWNWNW) Sec 26 Twp 03N Rge 45E TETON 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	
03N	45E	22													29.0	5.5		1.8	36.3

POU Total Acres: 36.3

PLACE OF USE: RECREATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	45E	22														X			

CONDITIONS OF APPROVAL

1. The diversion and use of water described in Transfer 89232 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

Transfer No. 89232

WATER RIGHT NO. 22-683A
As Modified by Transfer No. 89232

CONDITIONS OF APPROVAL

2. Rights 22-7658, 22-2279, 22-683A and 22-14626 when combined shall not exceed a total diversion rate of 0.44 cfs for diversion to storage for the recreation storage pond and a total annual maximum diversion volume of 12.2 acre feet for recreation storage.
3. Right 22-683A authorizes total annual storage volume of 11.7 acre-feet to be used for the initial filling or for the replacement of losses caused by evaporation for the pond authorized by water rights 22-2279, 22-683A, 22-7658, 22-14626, 22-14667 and 22-14683.
4. The pond established by the storage of water under this right shall not exceed a total capacity of 19.3 acre-feet or a total surface area of 3.0 acres.
5. Rights 22-683A, 22-14625, and 22-14626 when combined shall not exceed the irrigation of 36.3 acres.
6. Rights 22-683A, 22-683B and 22-13915 when combined shall not exceed a total diversion rate of 2.00 cfs.
7. 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. 01.
8. Property is also known as Homestead Entry Survey No. 253 Tracts A.
9. Place of use does not include federal public lands.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 22-14625
As Modified by Transfer No. 89232

In accordance with the approval of Transfer No. 89232, Water Right No. 22-14625 is now described as follows:

Right Holder: GOOD TIMBER RANCH LLC
 1300 GOOD TIMBER RANCH RD
 VICTOR, ID 83455-5115

Priority Date: 4/8/1991

Source: POLE CREEK

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DIVERSION TO STORAGE	10/01	to 5/01	0.300 cfs	
STOCKWATER	01/01	to 12/31	0.040 cfs	0.4 af
IRRIGATION FROM STORAGE	04/15	to 10/15		1.6 af
IRRIGATION STORAGE	01/01	to 12/31	0.300 cfs	1.6 af
				2.0 af

LOCATION OF POINT(S) OF DIVERSION

POLE CREEK NWSW Sec 26 Twp 03N Rge 45E TETON County

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	45E	22													29.0	5.5		1.8	36.3

POU Total Acres: 36.3

PLACE OF USE: IRRIGATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	45E	22														X			

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	
03N	45E	22														X			

Transfer No. 89232

WATER RIGHT NO. 22-14625
As Modified by Transfer No. 89232

CONDITIONS OF APPROVAL

1. The diversion and use of water described in Transfer 89232 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
2. Rights 22-683A, 22-14625 and 22-14626 when combined shall not exceed the irrigation of 36.3 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
5. Property is also known as Homestead Entry Survey No. 253 Tract A and B.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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. 22-14626
As Modified by Transfer No. 89232

In accordance with the approval of Transfer No. 89232, Water Right No. 22-14626 is now described as follows:

Right Holder: GOOD TIMBER RANCH LLC
 1300 GOOD TIMBER RANCH RD
 VICTOR, ID 83455-5115

Priority Date: 11/2/1989

Source: POLE CREEK

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	07/01	to 08/31	0.250 cfs	
DIVERSION TO STORAGE	07/01	to 08/31	0.040 cfs	
RECREATION STORAGE	01/01	to 12/31		4.7 af
			0.290 cfs	

LOCATION OF POINT(S) OF DIVERSION

POLE CREEK NWSW Sec 26 Twp 03N Rge 45E TETON 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	
03N	45E	22													29.0	5.5		1.8	36.3

POU Total Acres: 36.3

PLACE OF USE: RECREATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	45E	22														X			0

CONDITIONS OF APPROVAL

1. The diversion and use of water described in Transfer 89232 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

Transfer No. 89232

WATER RIGHT NO. 22-14626
As Modified by Transfer No. 89232

CONDITIONS OF APPROVAL

2. Rights 22-7658, 22-2279, 22-683A and 22-14626 when combined shall not exceed a total diversion rate of 0.44 cfs for diversion to storage for the recreation storage pond and a total annual maximum diversion volume of 12.2 acre feet for recreation storage.
3. Right 22-14626 authorizes total annual storage volume of 4.7 acre-feet to be used for the initial filling or for the replacement of losses caused by evaporation for the pond authorized by water rights 22-2279, 22-683A, 22-7658, 22-14626, 22-14667 and 22-14683.
4. The pond established by the storage of water under this right shall not exceed a total capacity of 19.3 acre-feet or a total surface area of 3.0 acres
5. Rights 22-683A, 22-683B, 22-13915 and 22-14626 when combined shall not exceed a total diversion rate of 2.00 cfs.
6. Rights 22-683A, 22-14625 and 22-14626 when combined shall not exceed the irrigation of 36.3 acres.
7. 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. 01.
8. Place of use does not include federal public lands.
9. Property is also known as Homestead Entry Survey No. 253 Tracts A & B.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

Date: 3/19/2026



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

March 19, 2026

GOOD TIMBER RANCH LLC
1300 GOOD TIMBER RANCH RD
VICTOR ID 83455-5115

Re: Transfer No: 89232
Water Right No(s): 22-683A , 22-2279, 22-7658, 22-14625, 22-14626

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.

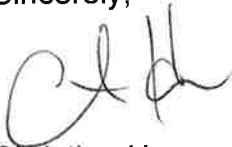
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and 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:

THOMAS J BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

KPW HOLDINGS LLC ET AL
4581 FORTUNA WAY
SALT LAKE CITY UT 84124

RICHARD GEBHARDT
PO BOX 168
VICTOR, ID 83455

SEAN R MOULTON
TETON VALLEY LAW PLLC
PO BOX 50130
IDAHO FALLS, ID 83402

FREMONT MADISON IRRIGATION
DISTRICT
PO BOX 15
SAINT ANTHONY ID 83445-0015

JERRY RIGBY
RIGBY ANDRUS & RIGBY LAW PLLC
PO BOX 250
REXBURG ID 83440-0250

GEORGIE STANLEY
10401 S 1750 W
VICTOR ID 83455

SUSAN MILLER
GREGORY G COLLINS
10435 S 1750 W
VICTOR ID 83455

THE MAGUIRE FAMILY TRUST
10165 S 2000 W
WILSON WY 83014-0634

RAFE AND AINSLEY RIVERS
1566 W 10250 S
VICTOR ID 83455

ANNA TRENTADUE
TRENTADUE LAW OFFICE PLLC
PO BOX 1443
DRIGGS, ID 83422

CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2026 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.: 89232

Water Right No(s): 22-683A , 22-2279, 22-7658, 22-14625, 22-14626

**GOOD TIMBER RANCH LLC
1300 GOOD TIMBER RANCH RD
VICTOR ID 83455-5115**

**THOMAS J BUDGE
PO BOX 1391
POCATELLO ID 83204-1391**

**KPW HOLDINGS LLC ET AL
4581 FORTUNA WAY
SALT LAKE CITY UT 84124**

**RICHARD GEBHARDT
PO BOX 168
VICTOR, ID 83455**

**SEAN R MOULTON
TETON VALLEY LAW PLLC
PO BOX 50130
IDAHO FALLS, ID 83402**

**FREMONT MADISON IRRIGATION
DISTRICT
PO BOX 15
SAINT ANTHONY ID 83445-0015**

**JERRY RIGBY
RIGBY ANDRUS & RIGBY LAW PLLC
PO BOX 250
REXBURG ID 83440-0250**

**GEORGIE STANLEY
10401 S 1750 W
VICTOR ID 83455**

**SUSAN MILLER
GREGORY G COLLINS
10435 S 1750 W
VICTOR ID 83455**

**THE MAGUIRE FAMILY TRUST
10165 S 2000 W
WILSON WY 83014-0634**

**RAFE AND AINSLEY RIVERS
1566 W 10250 S
VICTOR ID 83455**

**ANNA TRENTADUE
TRENTADUE LAW OFFICE PLLC
PO BOX 1443
DRIGGS, ID 83422**



**Christina Henman
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

The accompanying document is a “**Preliminary Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5243. **This preliminary order can and will become a final order without further action of the Department, unless a party petitions for reconsideration, petitions for review, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will issue a written order disposing of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure of the presiding officer to dispose of a petition for reconsideration of this preliminary order within twenty-one (21) days, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is necessary, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the final written brief or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order,

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the Director for review of the preliminary order.

or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department's Rules of Procedure.