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APR 21 2026

DEPT. OF WATER RESOURCES
EASTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

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) Pocatello Ready Mix, Inc.
 Mailing Address 9659 N Philbin Rd, Pocatello, ID 83202
 Email* coleman@pococoncrete.com Phone 208-233-7041
 Name of Representative (if any) Rocky Mountain Environmental Associates, Inc.
 Mailing Address 482 Constitution Way STE 303, Idaho Falls, ID 83402
 Email* kristin.rmea@gmail.com Phone 208-524-2353

*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.

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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.

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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 of 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	
1S	32E	1										1.5							1.5

Total Irrigated Acres to be Changed: 1.5

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

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

Applicant proposes to transfer 1.5 acres of irrigation water right to be converted to Mitigation by Non-use for a new Application for Permit for a gravel washing facility. The transferred water will be used to mitigate for evaporative losses from a 1.0-acre industrial wash pond.

This amendment is submitted to remove the benefit of dust abatement from the proposed mitigation, as well as to adjust the modeling evaluation in order to fully mitigate the companion application for permit. No changes are proposed to the nature of use, point of diversion, or place of use.

AMENDED**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 or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐ ☒	35-7449B	0.02 cfs	Mitigation by Non-Use	3/15 to 10/15	Groundwater
☐ ☐		4.4 afa	Mitigation by Non-Use	3/15 to 10/15	Groundwater
☐ ☐				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: 0.02 cfs and/or 4.4 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.

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☐ 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	6S	34E	6	4		NW	NW	Bannock	Groundwater	

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	
6S	33E	1	x	x															
			L1	L2															
	34E	6					x	x	x	x									
							L3	L4	L5										

Total Irrigated Acres: _____

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

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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.

None

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 # 120. ☐ 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.

AMENDED**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.

None

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.

Domestic rights 29-13116 and 29-13225; Tribal water is used for irrigation on a portion of the place of use.

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.

☒ 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)?

AMENDED**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.

New well will deliver water through a wash plant and into a wash pond, from which it will evaporate.

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.

 Coleman Horrocks (Apr 21, 2026 07:39:04 MDT)	Coleman Horrocks, Vice President	04/21/26
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: \$ _____	Receipt #: _____	Date: _____	Received by: _____
Add'l Paid: \$ _____	Receipt #: _____	Date: _____	Received by: _____

AMENDED Narrative in Support of Applications

Pocatello Ready Mix, Inc.

Applicant is submitting this amendment to the applications to reduce the consumptive component of the facility to provide full mitigation to the Snake River. This amendment describes the remaining quantities associated with the application pair.

An *Application for Permit* and an *Application for Transfer of Water Right* for a new aggregate washing facility that will be built in T06S, R33E Sec 1 and R34E Sec 6, Pocatello, Idaho. Most of the uses associated with the facility will be non-consumptive and return to the ground through a wash pond. Some uses will be consumptive, such as pond evaporation.

Application for Permit

The Applicant intends to divert water from a well they will construct to a covered aggregate washing facility. The facility will be covered to reduce water loss due to evaporation. After gravel washing, the dirty water will be stored in a holding pond where suspended sediment will sink. Water will be recirculated through the wash plant and supplemented with fresh water from the well. Water will be allowed to sink back into the aquifer.

As water from the holding ponds will also be evaporated, circulated through the gravel washing process, and/or allowed to sink back into the aquifer, the ponds will need to be refilled periodically by fresh wash water delivered from the well through the gravel washing plant. Therefore, the total storage volume anticipated throughout the year represents multiple fills of the ponds, not to exceed the total water diverted for Industrial purposes. Total diversion volume is estimated at 3.34 cfs for 9.5 hrs/day for up to 215 days per year (approximately 562 afa).

Because water will be allowed to sink back into the aquifer at the end of the process, the majority of water use is non-consumptive. RMEA expects that pond evaporation will be the associated consumptive component of the gravel washing processes, in the amount of about 2.4 acre-feet annually from the one pond with a total surface area of 1.0 acre (Figures 1 and 2).

The total volume of 562 af diverted each year includes 2.4 afa of consumptive use and the remaining volume is non-consumptive. Mitigation of the 2.4 afa of consumptive uses will be provided through a companion transfer application of water right 35-7449B.

Application for Transfer of Water Right 35-7449B

A portion of Water Right 35-7449B is proposed to be purchased and transferred as *mitigation by non-use* for the consumptive components under the companion Application for Permit. This water right is currently being used for irrigation of agricultural ground and will be retired upon approval.

Figure 1: Pond Evapotranspiration from ET-IDWR, January 2, 2026.

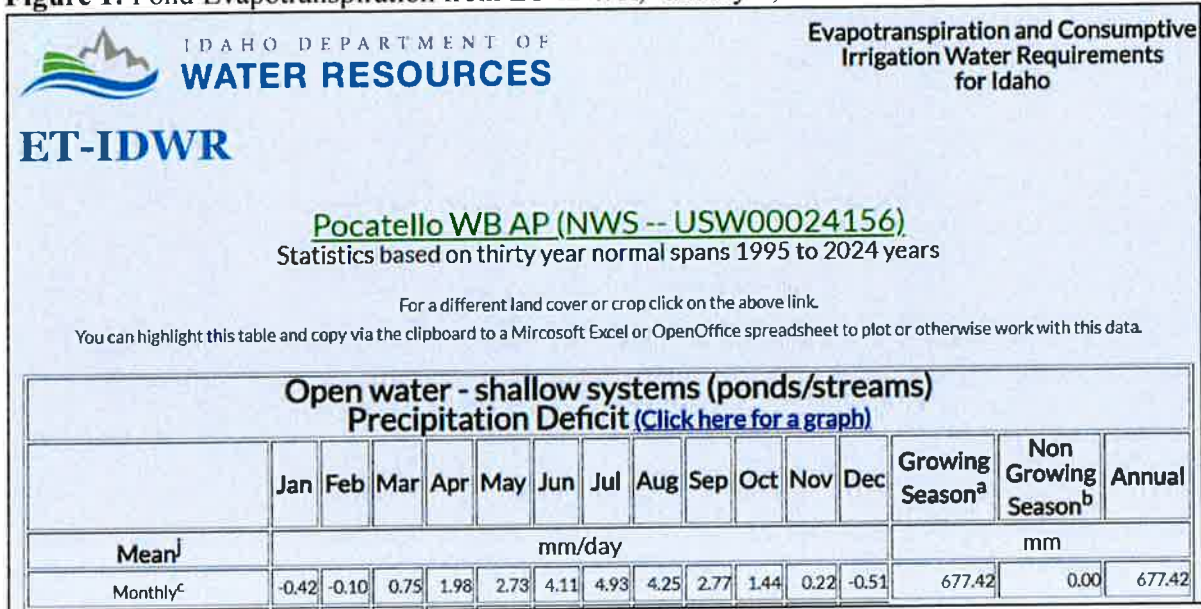
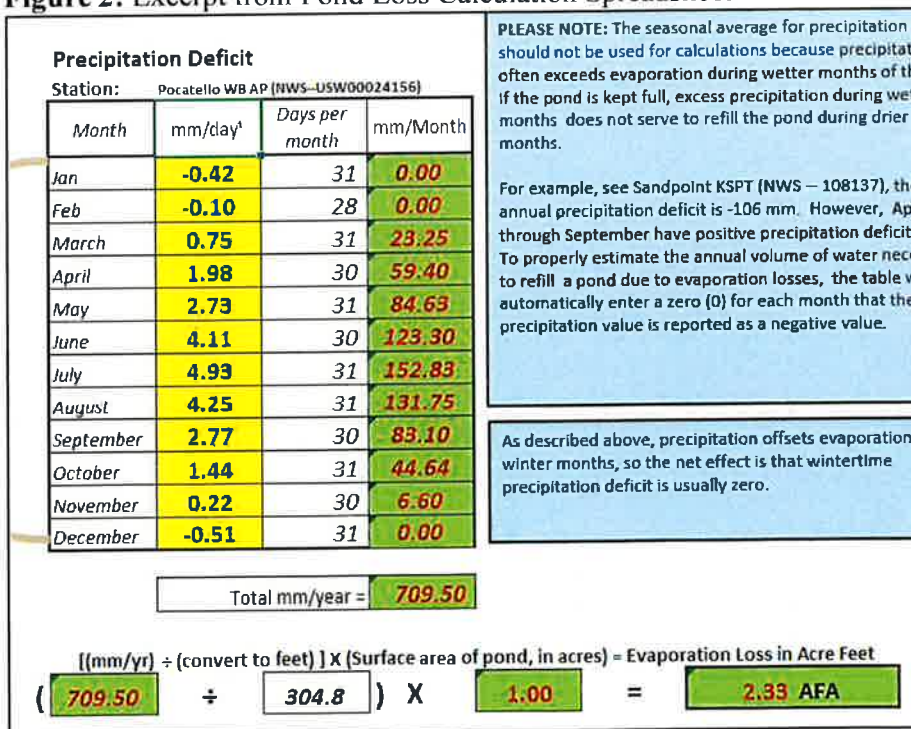


Figure 2: Excerpt from Pond Loss Calculation Spreadsheet



AMENDED Eastern Snake Plain Aquifer Modeling Analysis

Pocatello Ready Mix, Inc.

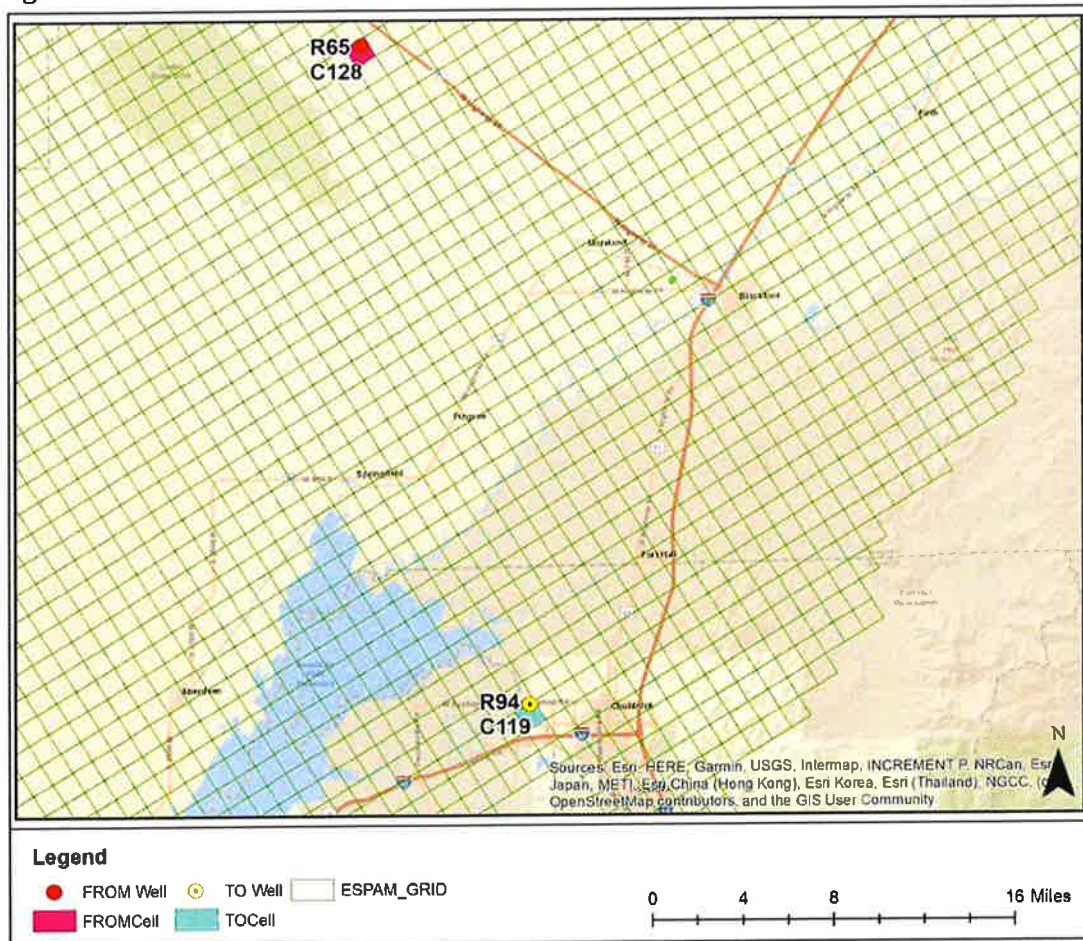
The Applicant requires additional water for industrial use at a new facility. It is proposed to purchase a portion of water right no. 35-7449B.

Data Input Values

The TO Well location is a proposed well located in model cell R94 C119.

The FROM Well location is a point of diversion (POD) located in model cell R65 C128. Well locations and ESPA Grid Cells used for modeling are shown in Figure 1.

Figure 1. ESPAM Grid Locations



Using ESPAM 2.2/ETRAN 3.4, a modeling simulation was used to evaluate the effects to the Snake River. Data input values were based upon the historical consumptive use volumes described in Attachment 4C-5, of 4.43 afa or 1.48 af/trimester at the FROM Well. At the TO Well, it is proposed to only receive the benefit of 2.4 afa, or 0.8

af/trimester in order to fully mitigate the Steady State Net Transfer Effects. Excerpts from this modeling scenario are included in Figures 2-4.

Transient modeling impacts remain in the Near Blackfoot to Neeley Reach during years 2026 – 2028 in which impacts are as high as 0.6 af/trimester in Summer 2026 as shown in the table below.

Table 1. Net Effects of Phillips to TO Well

	Net Transfer Effect (AF/four months)			
	Ashton to	Heise to	Shelley to	Nr Bckft To
	<u>Rexburg</u>	<u>Shelley</u>	<u>Nr Bckft</u>	<u>Neeley</u>
SPR 2026	0.0	0.0	0.0	0.0
SUM 2026	0.0	0.0	0.0	0.6
WIN 2026	0.0	0.0	-0.1	0.4
SPR 2027	0.0	0.0	-0.1	0.3
SUM 2027	0.0	0.0	-0.1	0.2
WIN 2027	0.0	0.0	-0.2	0.2
SPR 2028	0.0	0.0	-0.2	0.1
SUM 2028	0.0	0.0	-0.2	0.1
WIN 2028	0.0	0.0	-0.2	0.1
SPR 2029	0.0	0.0	-0.2	0.0
SUM 2029	0.0	0.0	-0.2	0.0

In order to mitigate the transient effects, it is proposed to leave a 4-acre portion of rights 35-13944, 35-13946, and 35-13948 unused for the 2026 irrigation season. The point of diversion for these rights is located in ESPA Grid Cell R73 C138. The water right owner has agreed to hold these rights unused. A copy of the agreement is attached as Exhibit 1.

Data inputs are based upon historical irrigation of alfalfa under 35-13944 et al. At a historical consumptive use of 2.62 af/acre, based upon ET-IDWR data at the Blackfoot Station, 4 acres would have a consumption of 10.48 afa. Only 9.6 af are required to offset the transient effects and this quantity is used as the stress applied to the FROM Well in ETRAN 3.4. Excerpts of the modeling scenario are included in Figures 5-6. Table 2 below shows the effects of leaving this portion unused. The maximum benefit to the Near Blackfoot to Neeley reach is 0.61 af/trimester in the Summer 2026 trimester.

Table 2. Net Effects of Non-Use of 4 acres of Water Rights 35-13944 et al for 2026.

	Net Transfer Effect (AF/four months)			
	Ashton to	Heise to	Shelley to	Nr Bckft To
	<u>Rexburg</u>	<u>Shelley</u>	<u>Nr Bckft</u>	<u>Neeley</u>
SPR 2026	0.00	0.00	-0.18	-0.33
SUM 2026	0.00	0.00	-0.30	-0.61
WIN 2026	0.00	-0.01	-0.39	-0.82
SPR 2027	0.00	-0.02	-0.27	-0.66
SUM 2027	0.00	-0.02	-0.20	-0.50
WIN 2027	0.00	-0.02	-0.16	-0.39
SPR 2028	0.00	-0.03	-0.13	-0.31
SUM 2028	0.00	-0.02	-0.11	-0.26
WIN 2028	0.00	-0.02	-0.09	-0.22

SPR 2029	0.00	-0.02	-0.08	-0.18
SUM 2029	0.00	-0.02	-0.07	-0.16

The sum of Net Effects for the Near Blackfoot to Neeley reach for both modeling scenarios results in the following:

Table 3. Sum of All Modeling Results.

	Table 1. Phillips to TO Well	Table 2. Non- Use of Rights	Sum of Net Effects
SPR 2026	0	-0.33	-0.33
SUM 2026	0.6	-0.61	-0.01
WIN 2026	0.4	-0.82	-0.42
SPR 2027	0.3	-0.66	-0.36
SUM 2027	0.2	-0.5	-0.3
WIN 2027	0.2	-0.39	-0.19
SPR 2028	0.1	-0.31	-0.21
SUM 2028	0.1	-0.26	-0.16
WIN 2028	0.1	-0.22	-0.12
SPR 2029	0	-0.18	-0.18
SUM 2029	0	-0.16	-0.16

All reaches of the Snake River are fully mitigated at transient and steady state.

Figure 2. Data Entry of Phillips Water Right to the Proposed TO Well

ENHANCED GROUND-WATER RIGHTS TRANSFER
 UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

UPDATE DATES

RUN MODEL

GET OUTPUT

CALCULATE EFFECTS

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO: 35-7449B

YEAR: 1974

SEASON: SUMMER

TRANSFER NAME: Phillips to Poc Re

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	94	65	0	0
COLUMN	119	128	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SUM 1974	0.00	1.48	1.48	0.00	0.00	0.00	0.00
WIN 1974	0.00	1.48	1.48	0.00	0.00	0.00	0.00
SPR 1975	0.00	1.48	1.48	0.00	0.00	0.00	0.00
SUM 1975	0.00	1.48	1.48	0.00	0.00	0.00	0.00
SPR 2025	0.00	1.48	1.48	0.00	0.00	0.00	0.00
SUM 2025	0.00	1.48	1.48	0.00	0.00	0.00	0.00
WIN 2025	0.00	1.48	1.48	0.00	0.00	0.00	0.00
SPR 2026	0.00	1.48	1.48	0.00	0.00	0.00	0.00
SUM 2026	0.80	0.00	1.48	0.00	0.00	0.00	0.00
WIN 2026	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SPR 2027	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SUM 2027	0.80	0.00	1.48	0.00	0.00	0.00	0.00
WIN 2027	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SPR 2028	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SUM 2028	0.90	0.00	1.48	0.00	0.00	0.00	0.00
WIN 2028	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SPR 2029	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SUM 2029	0.80	0.00	1.48	0.00	0.00	0.00	0.00
WIN 2029	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SPR 2030	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SUM 2030	0.80	0.00	1.48	0.00	0.00	0.00	0.00
WIN 2030	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SPR 2031	0.80	0.00	1.48	0.00	0.00	0.00	0.00
WIN 2122	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SPR 2123	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SUM 2123	0.80	0.00	1.48	0.00	0.00	0.00	0.00
WIN 2123	0.80	0.00	1.48	0.00	0.00	0.00	0.00
SPR 2124	0.80	0.00	1.48	0.00	0.00	0.00	0.00

Figure 3. Net Transfer Graphs of Phillips Water Right to the Proposed TO Well

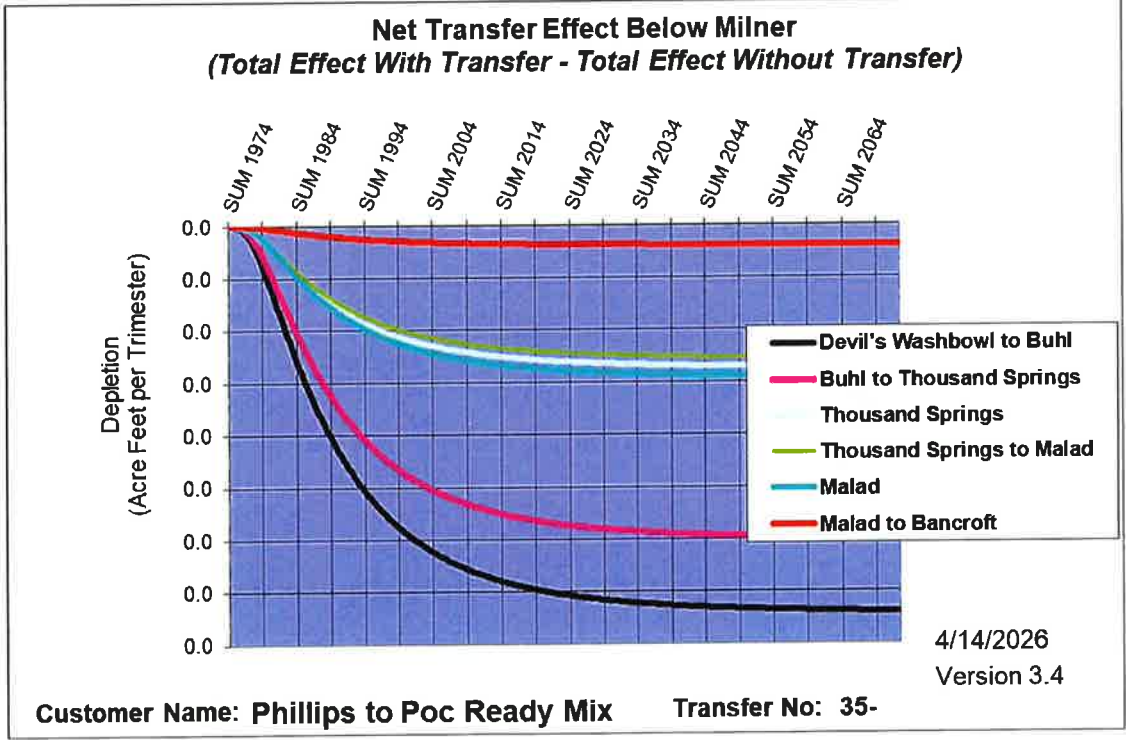
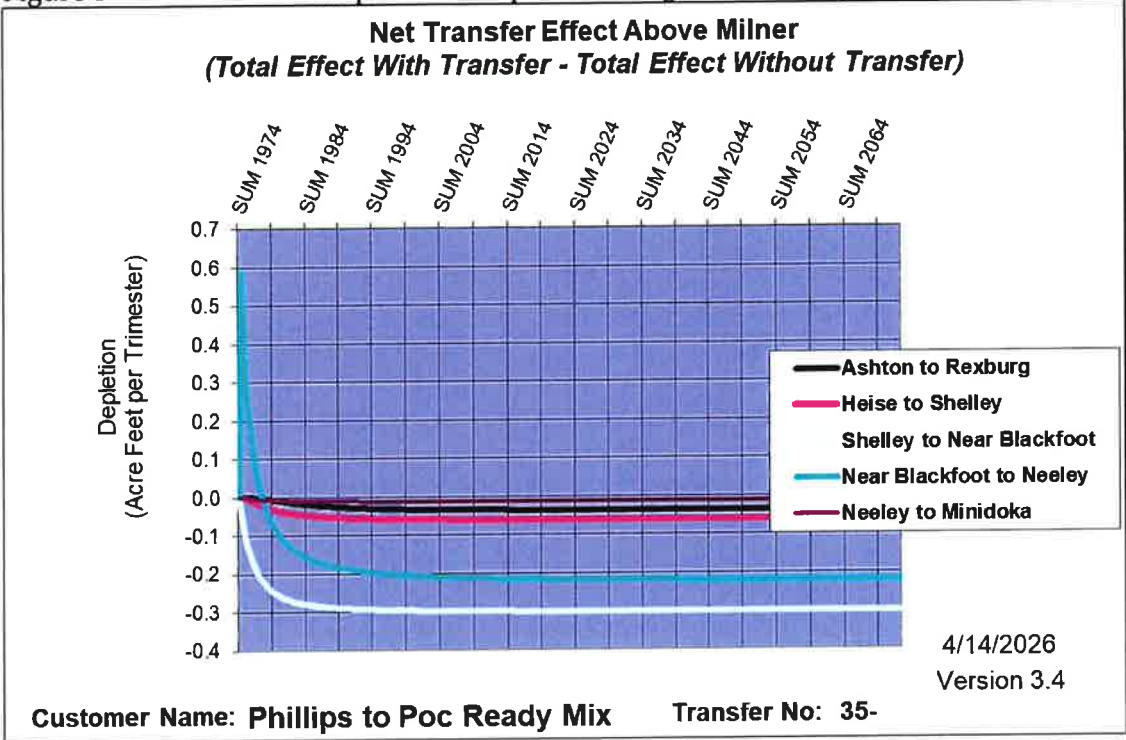


Figure 4. Calculated Effects of Phillips Water Right to the Proposed TO Well

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft Neeley	Neeley to Minidoka	Dev. Wbl. Buhl	Buhl to Kspr	Kspr Kspr	Kspr to Malad	Malad Malad	Malad to Bancroft
SUM 1974	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1974	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1975	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.0	0.0	0.0	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.0	0.0	-0.1	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.0	0.0	-0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.0	0.0	-0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.0	0.0	-0.2	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	0.0	0.0	-0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	0.0	0.0	-0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	0.0	0.0	-0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	0.0	0.0	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.0	0.0	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.0	0.0	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2030	0.0	0.0	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2030	0.0	0.0	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2030	0.0	0.0	-0.2	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2123	0.0	-0.1	-0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2123	0.0	-0.1	-0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2123	0.0	-0.1	-0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2124	0.0	-0.1	-0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0

	AIR	HIS	StNB	NBtN	NtM	DWtB	BtTS	TS	TSIM	M	MtB	Total
SS (Last Time Step):	0.04	0.06	0.30	1.02	0.01	0.01	0.01	0.01	0.01	0.01	0.00	1.48
Dep. @ Last Time Step:	0.00	0.00	0.00	0.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.80
Max Value Timestep):	0.04	0.06	0.30	1.02	0.01	0.01	0.01	0.01	0.01	0.01	0.00	1.48
of Dep. After Transfer:	0.04	0.06	0.26	1.61	0.01	0.01	0.01	0.01	0.00	0.01	0.00	2.02
Steady State Change:	-0.04	-0.06	-0.30	-0.22	-0.01	-0.01	-0.01	-0.01	-0.01	-0.01	0.00	
Transient State Change:	0.00	0.00	-0.04	0.59	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

Figure 5. Data Entry of Non-Use of Rights 35-13944 et al for mitigation.

ENHANCED GROUND-WATER RIGHTS TRANSFER
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO:

YEAR: TRANSFER NAME:

SEASON:

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	73	73	50	60
COLUMN	138	138	187	146

3.2

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
WIN 1952	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SPR 1953	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SUM 1953	0.00	3.20	3.20	0.00	0.00	0.00	0.00
WIN 1953	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SPR 2025	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SUM 2025	0.00	3.20	3.20	0.00	0.00	0.00	0.00
WIN 2025	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SPR 2026	0.00	0.00	3.20	0.00	0.00	0.00	0.00
SUM 2026	0.00	0.00	3.20	0.00	0.00	0.00	0.00
WIN 2026	0.00	0.00	3.20	0.00	0.00	0.00	0.00
SPR 2027	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SUM 2027	0.00	3.20	3.20	0.00	0.00	0.00	0.00
WIN 2027	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SPR 2028	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SUM 2028	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SPR 2101	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SUM 2101	0.00	3.20	3.20	0.00	0.00	0.00	0.00
WIN 2101	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SPR 2102	0.00	3.20	3.20	0.00	0.00	0.00	0.00
SUM 2102	0.00	3.20	3.20	0.00	0.00	0.00	0.00

Figure 6. Calculated Effects of Non-Use of Rights 35-13944 et al for mitigation.

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Neeley to Neeley	Dev. Wbl. to Minidoka	Buhl to Buhl	Kspr to Kspr	Kspr to Kspr	Malad to Malad	Malad to Bancroft	
SPR 2026	0.00	0.00	-0.18	-0.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 2026	0.00	0.00	-0.30	-0.61	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 2026	0.00	-0.01	-0.39	-0.82	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 2027	0.00	-0.02	-0.27	-0.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 2027	0.00	-0.02	-0.20	-0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 2027	0.00	-0.02	-0.16	-0.39	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 2028	0.00	-0.03	-0.13	-0.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 2028	0.00	-0.02	-0.11	-0.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 2028	0.00	-0.02	-0.09	-0.22	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 2029	0.00	-0.02	-0.08	-0.18	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 2029	0.00	-0.02	-0.07	-0.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 2029	-0.01	-0.02	-0.06	-0.14	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 2030	-0.01	-0.02	-0.05	-0.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 2030	-0.01	-0.02	-0.04	-0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 2030	-0.01	-0.01	-0.04	-0.09	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SPR 2031	-0.01	-0.01	-0.03	-0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 2031	-0.01	-0.01	-0.03	-0.07	0.00	0.00	0.00	0.00	0.00	0.00	0.00

AGREEMENT TO HOLD WATER RIGHTS FOR NON-USE

This Agreement to Hold Water Rights for Non-Use is entered into as of the 20 day of April, 2026, by and between POCATELLO READY MIX, INC. ("PRM"), an Idaho corporation, and FOSTER LAND AND CATTLE ("Foster"), an Idaho general partnership, collectively referred to as the "Parties."

RECITALS

WHEREAS, PRM filed Application for Permit 29-14564 and Application for Transfer No. 90280 (jointly referred to as "Applications") to obtain water rights for a gravel washing facility and in order to fully mitigate the applications, PRM requires temporary mitigation for year 2026 to address modelled transient impacts of up to 0.6 af/trimester to the Near Blackfoot-to-Neeley reach of the Snake River;

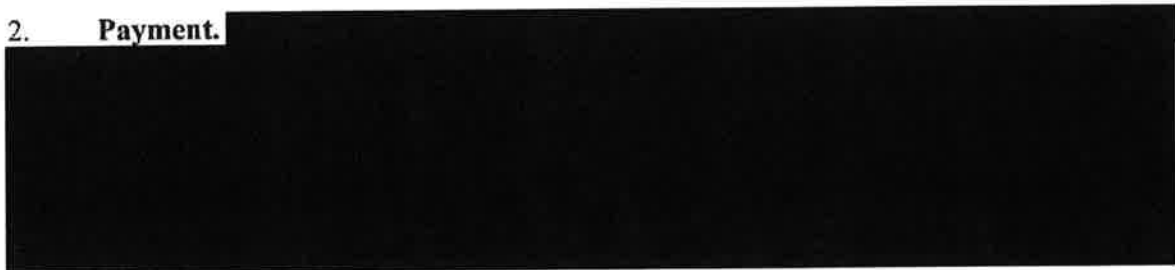
WHEREAS, Foster is the owner of Water Right No(s). 35-13944, 35-13946, and 35-13948 ("Water Rights"), which, if a portion of the Water Right is unused for one season (year 2026), appears to mitigate the transient impacts of 0.6 af/trimester in the Near Blackfoot-to-Neeley reach of the Snake River.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the Parties agree as follows:

AGREEMENT

1. **Non-Use of Water Rights.** Contingent on IDWR approval of the Applications, Foster agrees to hold 4.0 acres of the Water Rights unused for the 2026 irrigation season to provide the temporary mitigation required for PRM. The specific 4.0 acres are identified in Exhibit 1. These acres shall not be irrigated during the 2026 irrigation season, nor shall they be used for mitigation under any other plan or approval until after October 31, 2026.

2. **Payment.**



This Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and assigns.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

POCATELLO READY MIX, INC.

By: 
By: Coleman Horrocks (Apr 20, 2028 18:04:05 MDT)
Name: Coleman Horrocks
Its: Manager

FOSTER LAND AND CATTLE

By: 
By: Bradley Foster
Name: Bradley Foster
Its: Partner

EXHIBIT 1
4.0 ACRES OF NON-USE UNDER THE WATER RIGHTS

