

RECEIVED

Rev. 07/18

AUG 25 2021

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 85256

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) MOUNTAIN VIEW LAND LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) MOUNTAIN VIEW LAND LLC Phone 2086709001
Mailing address 695 N 700 E RUPERT, ID 83350-8407 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543
Mailing address 2016 North Washington St Ste 4 Twin Falls Idaho 83301 Email greg.sullivan@brockwayeng.com

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

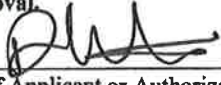
☒ Send original correspondence to the applicant and copies to the representative.

☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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.


Signature of Applicant or Authorized Representative

Derek Whitesides
Print Name and Title if applicable

8-16-21
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion
☐ Change nature of use

☒ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?

If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

This transfer proposes to move 100 acre feet of stock and commercial water from an existing CAFO feedlot to an existing CAFO dairy facility. Both the feedlot and the dairy are owned by the same entity.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	36-7646	0.11/30.8	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.19/69.2	Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-7273B	0.92/138	S/C	1/01 to 12/31	Ground Water
☒ ☐	36-7460L	0.38/85.5	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.17/36.8	Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-13610	0.24/	D/S	1/01 to 12/31	Ground Water
☒ ☐	36-13611	0.24/14.6	D/S	1/01 to 12/31	Ground Water
☒ ☐	36-16376	1.25/167.7	S/C	1/01 to 12/31	Ground Water
☐ ☐				to	

Total authorized under rights 3.77 cfs and/or 950.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.20 cubic feet per second and/or 100.0 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☒ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
	See Exhibit A									

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	25E	21	S/C	S/C	S/C	S/C													
08S	25E	22					S/C	S/C	S/C	S/C		S/C							
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

There are eight existing wells at this facility with existing mainlines and delivery systems.

- b. Who owns the property at the point(s) of diversion? The applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Rabo AgriFinance

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

N/A

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

N/A

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

Current Water Right No.: 36-7646

Current Owner: MOUNTAIN VIEW LAND LLC

Priority Date: 9/24/1976

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.6 CFS	160.8 AF
COMMERCIAL	1/01 to 12/31	1 CFS	362 AF
	<u>Total Diversion</u>	1.05 CFS	522.8 AF

Location of Point(s) of Diversion

GROUND WATER L3(SW1/4NW1/4SE1/4) Sec. 30, Twp 07S, Rge 23E B.M.
LINCOLN County

Place of Use

STOCKWATER Within LINCOLN County

T07S R23E S30	NESE	T07S R23E S30	Lot 3	NWSE
T07S R23E S30	Lot 4 SWSE	T07S R23E S30		SESE

Place of Use: COMMERCIAL same as STOCKWATER

Conditions of Approval:

1. STOCKWATER, 12,000 HEAD BEEF CATTLE FEEDLOT.
2. COMMERCIAL USE IS FEEDLOT DUST CONTROL.

Decreed Date: 1/9/1997

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

Current Water Right No.: 36-7273B

Current Owner: MOUNTAIN VIEW LAND LLC
Priority Date: 11/14/1972
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.92 CFS	138 AF
STOCKWATER	01/01 to 12/31	0.92 CFS	138 AF
	<u>Total Diversion</u>	0.92 CFS	138 AF

Location of Point(s) of Diversion

GROUND WATER MINIDOKA County	NE1/4SE1/4NE1/4	Sec. 21, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	NE1/4SE1/4NE1/4	Sec. 21, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	NW1/4NE1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	NW1/4NW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	SW1/4NW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	SE1/4NW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	SW1/4SW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	SW1/4SW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.

Place of Use

Page _____ of _____

STOCKWATER Within MINIDOKA County

T08S R25E S21	SWNE	T08S R25E S21	SENE
T08S R25E S22	NWNW	T08S R25E S22	SWNW
T08S R25E S22	SENW	T08S R25E S22	NWSW

COMMERCIAL Within MINIDOKA County

T08S R25E S21	SENE	T08S R25E S22	NWNW
T08S R25E S22	SWNW		

Conditions of Approval:

1. Commercial use is for a dairy.
2. Prior to the diversion and use of water under Transfer approval 72214, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
3. X59 Points of diversion are located within Tract A of Section 21, and Tract A of Section 22, T8S R25E.
4. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
7. T07 The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
8. 106 Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. 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.
10. X60 Place of use are located within Tracts A and B of Section 21, and Tract A of Sec. 22, T8S R25E.
11. 082 Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. X35 Rights 36-7273B, 36-7460L, 36-13610, 36-13611 and 36-16376 when combined shall not exceed a total diversion rate of 2.72 cfs, and a total annual maximum diversion volume of 428.0 af at the field headgate.
13. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
14. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-7460L

Current Owner: MOUNTAIN VIEW LAND LLC
Priority Date: 3/25/1974
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.38 CFS	85.5 AF
COMMERCIAL	01/01 to 12/31	0.17 CFS	36.8 AF
	<u>Total Diversion</u>	0.55 CFS	122.3 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4NE1/4	Sec. 21,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	NE1/4SE1/4NE1/4	Sec. 21,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NW1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	SE1/4NW1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				

Place of Use

Page _____ of _____

STOCKWATER Within MINIDOKA County

T08S R25E S21	SWNE	T08S R25E S21	SENE
T08S R25E S22	NWNW	T08S R25E S22	SWNW
T08S R25E S22	SENE	T08S R25E S22	NWSW

COMMERCIAL Within MINIDOKA County

T08S R25E S21	SENE	T08S R25E S22	NWNW
T08S R25E S22	SWNW		

Conditions of Approval:

1. X60 Place of use are located within Tracts A and B of Section 21, and Tract A of Sec. 22, T8S R25E.
2. X59 Points of diversion are located within Tract A of Section 21, and Tract A of Section 22, T8S R25E.
3. 106 Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. T07 The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
6. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. X35 Rights 36-7273B, 36-7460L, 36-13610, 36-13611 and 36-16376 when combined shall not exceed a total diversion rate of 2.72 cfs, and a total annual maximum diversion volume of 428.0 af at the field headgate.
9. Commercial use is for a dairy.
10. Rights 36-7460L, 36-13610 and 36-13611 when combined shall not exceed a total diversion rate of 0.55 cfs, nor total combined annual volume of 122.3 af.
11. Prior to the diversion and use of water under Transfer approval 72214, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
12. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
13. 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.
14. 082 Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
15. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

Decreed Date: 3/31/1998

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

Current Water Right No.: 36-13610

Current Owner: MOUNTAIN VIEW LAND LLC

Priority Date: 4/1/1958

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

DOMESTIC	01/01 to 12/31	0.04 CFS
STOCKWATER	01/01 to 12/31	0.2 CFS
	Total Diversion	0.24 CFS

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4NE1/4	Sec. 21, Twp 08S, Rge 25E B.M.
MINIDOKA County		
GROUND WATER	NE1/4SE1/4NE1/4	Sec. 21, Twp 08S, Rge 25E B.M.
MINIDOKA County		
GROUND WATER	NW1/4NE1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
MINIDOKA County		
GROUND WATER	NW1/4NW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
MINIDOKA County		
GROUND WATER	SW1/4NW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
MINIDOKA County		
GROUND WATER	SE1/4NW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
MINIDOKA County		
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
MINIDOKA County		
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
MINIDOKA County		

Place of Use

Page _____ of _____

STOCKWATER Within MINIDOKA County

T08S R25E S21	SWNE	T08S R25E S21	SENE
T08S R25E S22	NWNW	T08S R25E S22	SWNW
T08S R25E S22	SENE	T08S R25E S22	NWSW

DOMESTIC Within MINIDOKA County

T08S R25E S22	NWNW
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Conditions of Approval:

1. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. Rights 36-7480L, 36-13610 and 36-13611 when combined shall not exceed a total diversion rate of 0.55 cfs, nor total combined annual volume of 122.3 af.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 106 Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
5. X60 Place of use are located within Tracts A and B of Section 21, and Tract A of Sec. 22, T8S R25E.
6. N13 The quantity of water available under this right shall not exceed 13,000 gallons per day.
7. T07 The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
8. 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.
9. X35 Rights 36-7273B, 36-7460L, 36-13610, 36-13611 and 36-16376 when combined shall not exceed a total diversion rate of 2.72 cfs, and a total annual maximum diversion volume of 428.0 af at the field headgate.
10. Prior to the diversion and use of water under Transfer approval 72214, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
11. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
12. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
13. X59 Points of diversion are located within Tract A of Section 21, and Tract A of Section 22, T8S R25E.
14. 082 Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
15. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

Decreed Date: 11/22/1996

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

Current Water Right No.: 36-13611

Current Owner: MOUNTAIN VIEW LAND LLC
Priority Date: 8/1/1981
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	14.6 AF
STOCKWATER	01/01 to 12/31	0.2 CFS	14.6 AF
	Total Diversion	0.24 CFS	14.6 AF

Location of Point(s) of Diversion

GROUND WATER MINIDOKA County	NE1/4SE1/4NE1/4	Sec. 21, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	NE1/4SE1/4NE1/4	Sec. 21, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	NW1/4NE1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	NW1/4NW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	SW1/4NW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	SE1/4NW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	SW1/4SW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.
GROUND WATER MINIDOKA County	SW1/4SW1/4NW1/4	Sec. 22, Twp 08S, Rge 25E B.M.

Place of Use

Page _____ of _____

STOCKWATER Within MINIDOKA County

T08S R25E S21	SWNE	T08S R25E S21	SENE
T08S R25E S22	NWNW	T08S R25E S22	SWNW
T08S R25E S22	SENW	T08S R25E S22	NWSW

DOMESTIC Within MINIDOKA County

T08S R25E S22	NENW
---------------	------

Conditions of Approval:

1. Prior to the diversion and use of water under Transfer approval 72214, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
2. N13 The quantity of water available under this right shall not exceed 13,000 gallons per day.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. X60 Place of use are located within Tracts A and B of Section 21, and Tract A of Sec. 22, T8S R25E.
6. 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.
7. X59 Points of diversion are located within Tract A of Section 21, and Tract A of Section 22, T8S R25E.
8. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. T07 The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
10. 106 Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
11. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
12. X35 Rights 36-7273B, 36-7460L, 36-13610, 36-13611 and 36-16376 when combined shall not exceed a total diversion rate of 2.72 cfs, and a total annual maximum diversion volume of 428.0 af at the field headgate.
13. 082 Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
14. Rights 36-7460L, 36-13610 and 36-13611 when combined shall not exceed a total diversion rate of 0.55 cfs, nor total combined annual volume of 122.3 af.
15. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 11/22/1996

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

Current Water Right No.: 36-16376

Current Owner: MOUNTAIN VIEW LAND LLC

Priority Date: 4/20/1950

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	1.25 CFS	167.7 AF
COMMERCIAL	01/01 to 12/31	1.25 CFS	167.7 AF
	<u>Total Diversion</u>	1.25 CFS	167.7 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4NE1/4	Sec. 21,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	NE1/4SE1/4NE1/4	Sec. 21,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NW1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	SE1/4NW1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 22,	Twp 08S,	Rge 25E B.M.
MINIDOKA County				

Place of Use

Page _____ of _____

STOCKWATER Within MINIDOKA County

T08S R25E S21	SWNE	T08S R25E S21	SENE
T08S R25E S22	NWNW	T08S R25E S22	SWNW
T08S R25E S22	SENE	T08S R25E S22	NWSW

COMMERCIAL Within MINIDOKA County

T08S R25E S21	SENE	T08S R25E S22	NWNW
T08S R25E S22	SWNW		

Conditions of Approval:

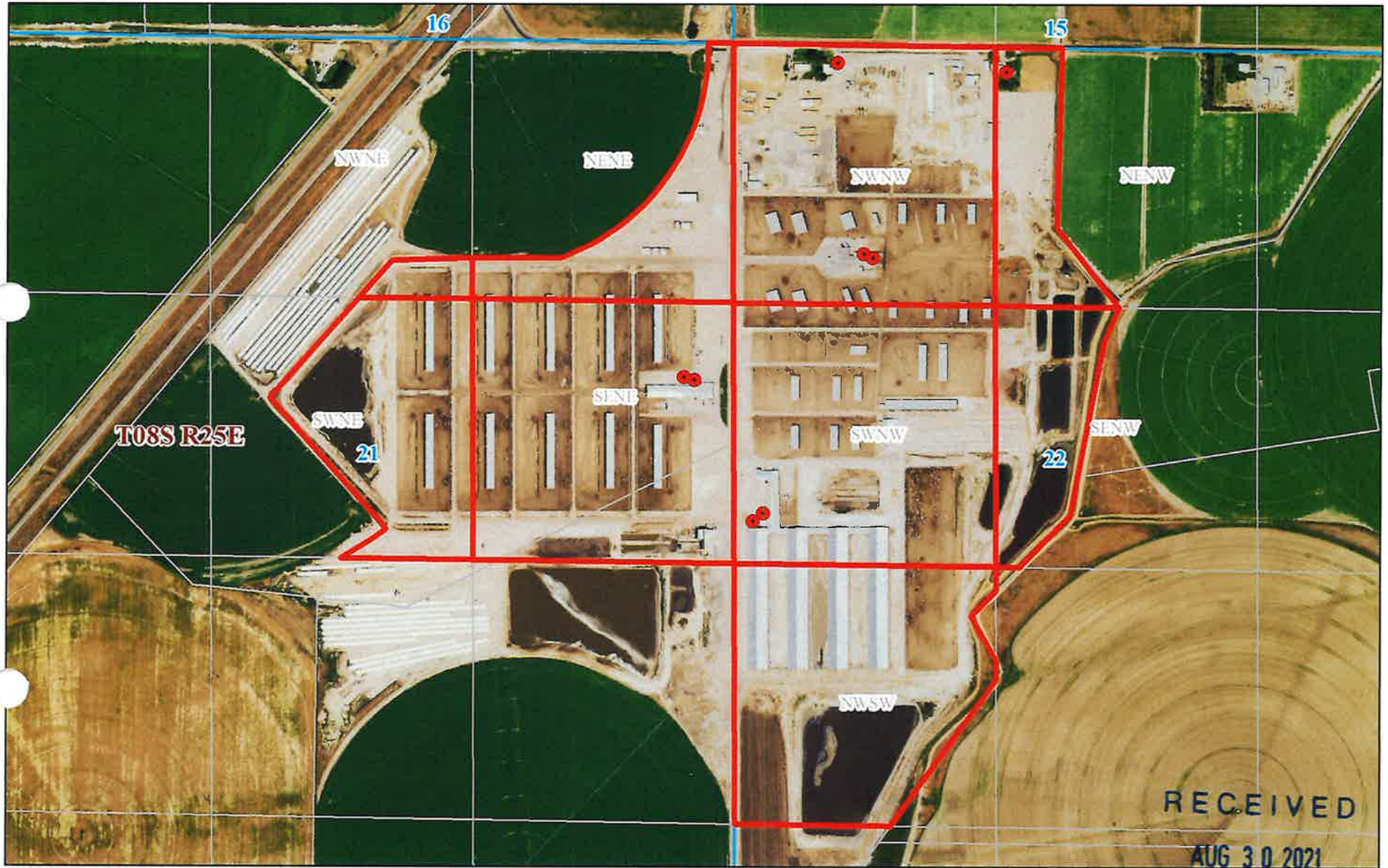
1. 082 Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
2. T07 The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
3. X35 Rights 36-7273B, 36-7460L, 36-13610, 36-13611 and 36-16376 when combined shall not exceed a total diversion rate of 2.72 cfs, and a total annual maximum diversion volume of 426.0 af at the field headgate.
4. 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.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 72214, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
7. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. 106 Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
10. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. X59 Points of diversion are located within Tract A of Section 21, and Tract A of Section 22, T8S R25E.
12. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
13. X60 Place of use are located within Tracts A and B of Section 21, and Tract A of Sec. 22, T8S R25E.
14. Commercial use is for a dairy.

Decreed Date: 12/3/2001

85256

Exhibit A
Points of Diversion

	Township	Range	Sec.	QQQ	QQ	Q	County	Local Name
1	08S	25E	21	NE	SE	NE	Minidoka	
2	08S	25E	21	NE	SE	NE	Minidoka	
3	08S	25E	22	NW	NE	NW	Minidoka	
4	08S	25E	22	NW	NW	NW	Minidoka	
5	08S	25E	22	SW	NW	NW	Minidoka	
6	08S	25E	22	SE	NW	NW	Minidoka	
7	08S	25E	22	SW	SW	NW	Minidoka	
8	08S	25E	22	SW	SW	NW	Minidoka	
9								
10								



0 750 1,500 Feet

MOUNTAIN VIEW LAND LLC
STOCK AND COMMERCIAL WATER

DEPT OF WATER RESOURCES
SOUTHERN REGION

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 8/30/2021

85256

NAIP 2019 AERIAL

Legend



PODs

Stock and Commercial POU



AMENDED via Greg. S. 8-30-21 6 mail



MOUNTAIN VIEW LAND LLC
STOCK AND COMMERCIAL WATER

NAIP 2019 AERIAL

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 8/2/2021

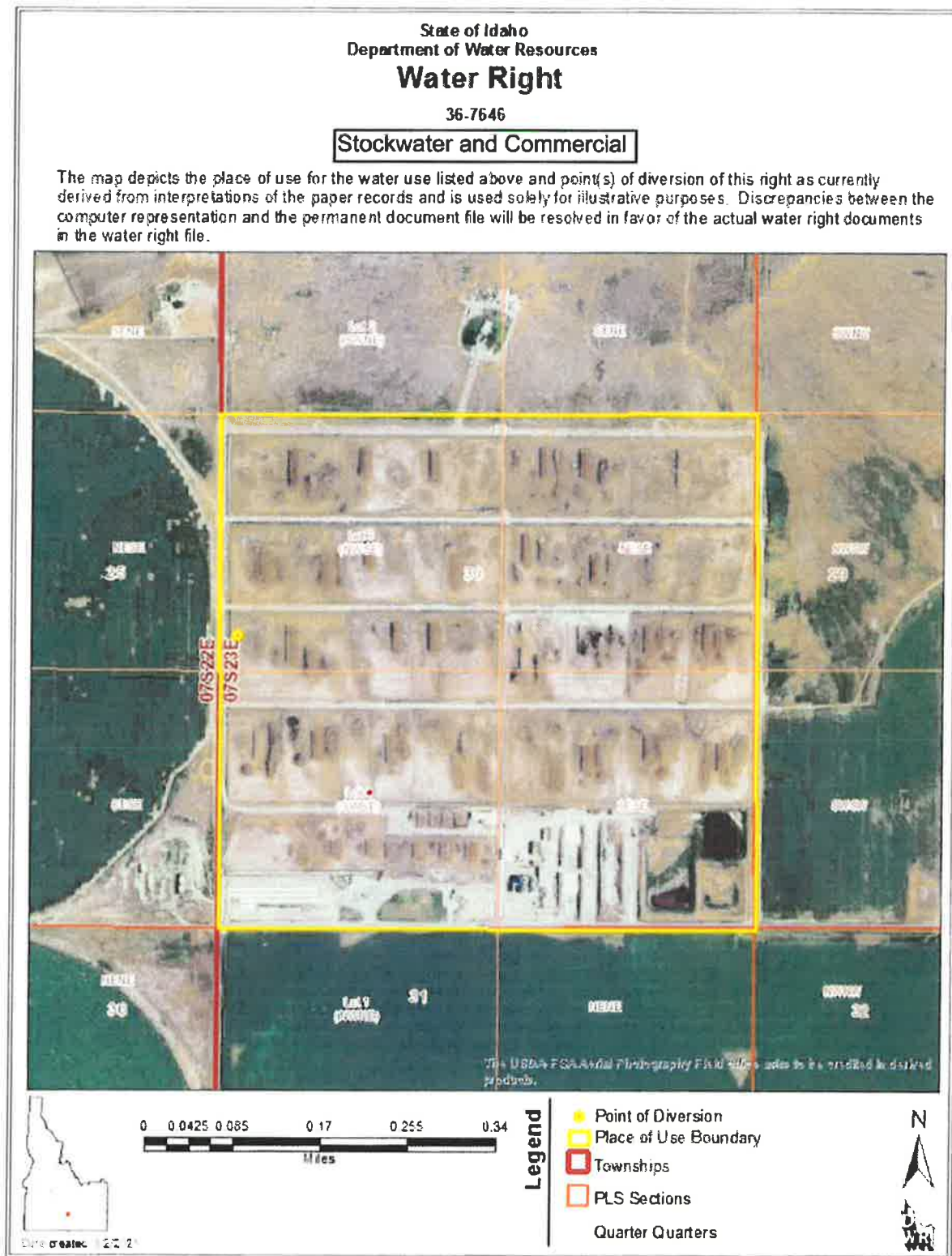
Legend



PODs

Stock and Commercial POU

SUPERSEDED



Mitigation Analysis Period

Trimester

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
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Transfer 1: Proposed Steady State Impacts following Transfer

Transfer 1: Worst Case Transient State Impacts following Transfer

Pre-SS 100% 100.0 acre feet
Post-SS 100% 100.0 acre feet

Impact by Reach (AF/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
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Pre-SS	0.5	1.4	4.3	13.5	0.7	3.7	4.3	1.9	1.2	1.1	0.1
Post-SS	0.5	1.4	4.2	13.4	0.9	3.7	4.2	1.9	1.2	1.1	0.1
Pre-SS	0.5	1.4	4.3	13.5	0.7	3.7	4.3	1.9	1.2	1.1	0.1
Post-SS	0.5	1.4	4.2	13.4	0.9	3.7	4.2	1.9	1.2	1.1	0.1

Steady State Analysis

Mitigation Check 1 - >10% of Historical:	-0.3%	-0.3%	-0.3%	-0.3%	20.7%	-0.6%	-0.8%	-0.8%	-0.8%	-0.8%	-0.8%
Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.1	0.0	-0.03	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total:	1.5%	4.3%	13.0%	41.2%	2.7%	11.4%	12.9%	5.7%	3.6%	3.3%	0.2%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.1	0.0	-0.03	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical:	-0.3%	-0.3%	-0.3%	-0.3%	20.7%	-0.6%	-0.8%	-0.8%	-0.8%	-0.8%	-0.8%
Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	0.0	-0.03	0.1	0.0	-0.03	0.0	0.0	0.0	0.0
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	-0.03	0.1	0.0	-0.03	0.0	0.0	0.0	0.0

Pre-SS 0% 0 acres
Post-SS 0% 0 acres

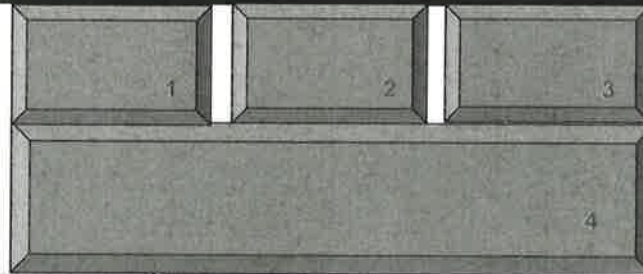
Read Me

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 1950

TRANSFER NAME:

SEASON SPRING

Mountain View

ENTER CELL LOCATIONS:

	TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	81	69		
COLUMN	68	58		

100

100

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
SPR 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0

SPR 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1972	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1972	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1972	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1973	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1973	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1973	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1974	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1974	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
SPR 1975	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1975	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1975	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1976	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1976	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1977	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1977	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1977	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1978	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1978	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1978	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1979	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1979	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1979	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1980	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1980	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1980	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1981	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1981	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1981	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1982	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1982	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1982	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1983	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1983	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1983	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1984	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1984	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1984	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1985	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1985	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1985	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1986	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1986	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1986	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1987	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1987	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1987	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 1988	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 1988	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 1988	0.0	33.3	33.3	0.0	0.0	0.0	0.0

[illegible]

SPR 2014	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 2014	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 2014	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 2015	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 2015	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 2015	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 2016	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 2016	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 2016	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 2017	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 2017	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 2017	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 2018	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 2018	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 2018	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 2019	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 2019	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 2019	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 2020	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SUM 2020	0.0	33.3	33.3	0.0	0.0	0.0	0.0
WIN 2020	0.0	33.3	33.3	0.0	0.0	0.0	0.0
SPR 2021	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2021	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2021	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2022	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2022	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2022	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2023	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2023	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2023	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2024	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2024	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2024	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2025	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2025	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2025	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2026	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2026	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2026	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2027	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2027	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2027	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2028	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2028	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2028	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2029	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2029	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2029	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2030	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2030	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2030	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2031	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2031	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2031	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2032	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2032	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2032	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2033	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2033	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2033	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2034	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2034	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2034	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2035	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2035	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2035	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2036	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2036	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2036	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2037	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2037	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2037	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2038	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2038	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2038	33.3	0.0	33.3	0.0	0.0	0.0	0.0

[illegible]

[illegible]

SPR 2089	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2089	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2089	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2090	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2090	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2090	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2091	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2091	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2091	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2092	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2092	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2092	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2093	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2093	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2093	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2094	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2094	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2094	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2095	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2095	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2095	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2096	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2096	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2096	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2097	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2097	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2097	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2098	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2098	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2098	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SPR 2099	33.3	0.0	33.3	0.0	0.0	0.0	0.0
SUM 2099	33.3	0.0	33.3	0.0	0.0	0.0	0.0
WIN 2099	33.3	0.0	33.3	0.0	0.0	0.0	0.0



Rabo AgriFinance

Rabo AgriFinance LLC

Jason Heatwole

VP-Managing Director/FAM

Office 237 Canyon Crest Drive

Address Twin Falls, Idaho 83301

Tel (208) 737-6852

Fax (855) 631-0289

Email Jason.Heatwole@Raboag.com

Website www.raboag.com

August 11, 2021

RECEIVED

AUG 25 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

Mountain View Land, LLC
695 East 700 North
Rupert, Idaho 83350
Attn. Steven Whitesides

Dear Mr. Whitesides:

Reference is made to that certain Mortgage, Assignment of Rents and Security Agreement dated as of July 22, 2019, by Mountain View Land, WG Farms, WHIR, and WLR to and in favor of Lender and recorded in Lincoln County, Idaho on August 8, 2019 as Document No. 0000201682 and also recorded in Minidoka County, Idaho on August 8, 2019 as Instrument # 551224 (the "Mortgage"), encumbering the property described therein (the "Property").

Rabo AgriFinance LLC hereby waives enforcement of the due-on-sale clause in the above-referenced Mortgage with regard to your proposed transfer of 100 acre feet of stock and commercial water from an existing CAFO feedlot located on the Property to an existing CAFO dairy facility, which is also located on the Property.

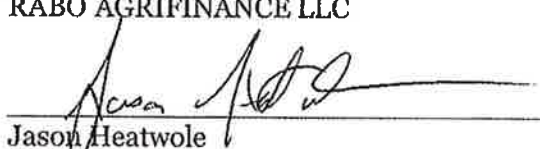
This waiver is based on plans and applications submitted to us. If there are any material changes to the plans, they will need to be re-submitted to us for further consideration.

This letter is not to be construed as a release of the water rights or any other collateral.

Rabo AgriFinance LLC reserves the right to enforce the due-on-sale clause with regard to any other or further transaction. Further, all rights and obligations of Rabo AgriFinance LLC and the existing borrower(s) on the loans secured by the mortgage are not affected by this waiver including, but not limited to, the obligation of the current borrower(s) to pay the loans in a timely fashion.

Very truly yours,

RABO AGRIFINANCE LLC



Jason Heatwole
VP-Managing Director/FAM

August 11, 2021
Page 2 of 2

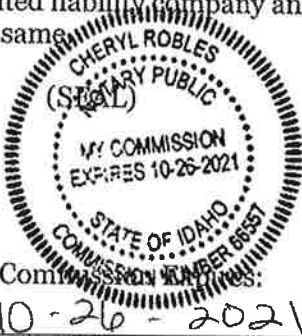
STATE OF IDAHO

COUNTY OF

Twin Falls

) SS

On this 11 day of August, in the year of 2021, before me,
Cheryl Robles, a Notary Public, personally appeared JASON
HEATWOLE, known or identified to me (or proved to me on the oath of
_____), to be the *VP-Managing Director/FAM* of RABO
AGRIFINANCE LLC, a Delaware limited liability company, the limited liability company that
executed the above instrument or the person who executed the instrument on behalf of said
limited liability company and acknowledged to me that such limited liability company executed
the same.



My Commission Expires:

10-26-2021

Cheryl Robles

Notary Public

Printed Name:

Cheryl Robles



0004377591

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0004377591

Date Filed: 8/10/2021 5:54:00 PM

Entity Name and Mailing Address:

Entity Name: MOUNTAIN VIEW LAND LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0000431904
Address: 695 N 700 E
RUPERT, ID 83350-8407

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W141693

The registered agent on record is:

Registered Agent: STEVEN WHITESIDES
Registered Agent
Physical Address
695 N 700 E
RUPERT, ID 83350
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
STEVEN R WHITESIDES	Manager	695 N 700 E RUPERT, ID 83350
Derek Whitesides	Member	695 N 700 E RUPERT, ID 83350

The annual report must be signed by an authorized signer of the entity.

Job Title: Manager

STEVEN WHITESIDES

Sign Here

08/10/2021

Date

B0033-0020 08/10/2021 3:04 PM RECEIVED BY ID SECRETARY OF STATE LAWRENCE DENNEY

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 118952

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	171.96
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	171.96
Fax			
Section	Legals	Start/End Dates	09/16/2021 - 09/23/2021
SubSection		Insertions	2
Category	50 Legal	Size	112
Ad Key	118952-1	Salesperson(s)	Legal Notices
Keywords	Transfer No. 85256	Taken By	Sherri Davis
Notes			

Ad Proof

*Proof of legal notice received from
Times News 9-10-2021 (2 pgs)*

✓ DM

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 118952

The following application(s) have been filed to appropriate
the public waters of the State of Idaho:
45-14538

PATRICK FIELD
LISA FIELD
PO BOX 848
BURLEY, ID 83318-0848
Point of Diversion L4(SWSW) S18 T12S R25E CASSIA County
Source GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 06-25-2021
Place Of Use: DOMESTIC
T12S R25E S18 L4(SWSW)
Application proposes to divert 0.04 cfs of ground water for
domestic use from an existing well. The Point of Diversion and
Place of Use is located approximately 0.4 miles west and 2.6
miles south of Albion. This application proposes to appropriate
trust water and will be evaluated in compliance with Section
42-203C, Idaho Code, and IDWR's Water Appropriation Rules,
IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85256

MOUNTAIN VIEW LAND LLC, 695 N 700 E, RUPERT, ID
83350-8407 has filed Application No. 85256 for changes to the
following water rights within LINCOLN, MINIDOKA County(s):
Right No(s). 36-13610, 36-13611, 36-16376, 36-7273B,
36-7460L, 36-7646. The purpose of the transfer is to change a
portion of the above rights as follows: Application for transfer
proposes to change the place of use (POU), point of diversion
(POD), and add points of diversion for a 0.20 cfs (100.00
acre-foot) portion of ground water right 36-7646 (stockwater &
commercial) which is currently appurtenant to a CAFO located
approximately 16.0 miles west and 1.8 miles north of Minidoka.
The proposed POU is a CAFO located approximately 2.8 miles
south and 2.1 miles west of Minidoka. Eight existing wells
located within the proposed POU will be utilized as PODs for
the transferred portion. The transfer will also modify the
stockwater and/or commercial place of use of the five existing
rights (2.72 cfs combined flow rate) at the proposed POU. Post
transfer, the six rights will have eight authorized PODS (wells)
with a total flow rate of 2.92 cfs at the proposed POU.
Permits will be subject to all prior water rights. For additional
information concerning the property locations, contact Southern
Region office at (208) 736-3033; or for a full description of the
rights &/or proposed transfer, please see <https://re-search.idwr.idaho.gov>. Protests may be submitted based on the
criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest
against the approval of this application(s) must be filed with the
Director, Dept. of Water Resources, Southern Region, 650
ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858
together with a protest fee of \$25.00 for each application on or
before **October 4, 2021**. The protestant must also send a copy
of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 16th & 23rd, 2021

✓ SM



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 10, 2021

WATER DISTRICT 130
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

RE: Transfer No(s). 85256 (Mountain View Land LLC)
Water Right No(s).: 36-7273B, etc.

Dear Nathan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 9, 2021

MOUNTAIN VIEW LAND LLC
695 N 700 E
RUPERT, ID 83350-8407

RE: Transfer No. 85256

Water Right No(s). 36-13610, 36-13611, 36-16376, 36-7273B, 36-7460L, 36-7646

Dear Applicant(s):

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 **TIMES NEWS on 9/16/2021 and 9/23/2021**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **October 4, 2021**.

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,

Denise Maline

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC
Rabo AgriFinance LLC, Twin Falls

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 9, 2021 1:47 PM
To: Times News
Subject: LEGAL NOTICES
Attachments: Times News cover letter.docx; Water Mitigation Coalition Mit Plan Legal Notice 9-2-2021.docx; Times News ad.docx

Attached please find **(2)** legal notices being submitted for publication on September 16th & 23rd, 2021. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant I

Idaho Dept. of Water Resources

650 Addison Ave W Ste 500

Twin Falls ID 83301-5858

(208) 293-9908

denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 9, 2021

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Notice of Mitigation Agreement Submitted by the Water Mitigation Coalition and Senior Water Users' Coalition

RE: Application for Permit No. 45-14538

RE: Transfer No. 85256
Water Right No(s). 36-13610, 36-13611, 36-16376, 36-7273B, 36-7460L, 36-7646

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (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 October 4, 2021. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

45-14538

PATRICK FIELD

LISA FIELD

PO BOX 848

BURLEY, ID 83318-0848

Point of Diversion L4(SWSW) S18 T12S R25E CASSIA County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 06-25-2021

Place Of Use: DOMESTIC

T12S R25E S18 L4(SWSW)

Application proposes to divert 0.04 cfs of ground water for domestic use from an existing well. The Point of Diversion and Place of Use is located approximately 0.4 miles west and 2.6 miles south of Albion. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85256**

MOUNTAIN VIEW LAND LLC, 695 N 700 E, RUPERT, ID 83350-8407 has filed Application No. 85256 for changes to the following water rights within LINCOLN, MINIDOKA County(s): Right No(s). 36-13610, 36-13611, 36-16376, 36-7273B, 36-7460L, 36-7646. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU), point of diversion (POD), and add points of diversion for a 0.20 cfs (100.00 acre-foot) portion of ground water right 36-7646 (stockwater & commercial) which is currently appurtenant to a CAFO located approximately 16.0 miles west and 1.8 miles north of Minidoka. The proposed POU is a CAFO located approximately 2.8 miles south and 2.1 miles west of Minidoka. Eight existing wells located within the proposed POU will be utilized as PODs for the transferred portion. The transfer will also modify the stockwater and/or commercial place of use of the five existing rights (2.72 cfs combined flow rate) at the proposed POU. Post transfer, the six rights will have eight authorized PODS (wells) with a total flow rate of 2.92 cfs at the proposed POU.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **October 4, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 16th & 23rd, 2021

Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Monday, August 30, 2021 4:28 PM
To: Bitzenburg, James
Subject: RE: Mountain View Land, LLC transfer #85256
Attachments: Dairy Map 2021.jpg; Stock and Commercial POU.cpg; Stock and Commercial POU.dbf; Stock and Commercial POU.prj; Stock and Commercial POU.sbn; Stock and Commercial POU.sbx; Stock and Commercial POU.shp; Stock and Commercial POU.shp.AMYCAD2.3752.10584.sr.lock; Stock and Commercial POU.shx

From: Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]
Sent: Monday, August 30, 2021 2:34 PM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Mountain View Land, LLC transfer #85256

Greg-

In looking at the shape for the dairy place of use for this transfer, it appears that the shape on the map you submitted with the transfer is on the neighbor's place (Grant 4-D Properties, LLC) in a couple of places (see attached map- POU is red vertically hatched area, Grant land is within the light blue outline). Take a look at it and see what you think, but I think we may want to do a new map that avoids the neighbor's property. Thanks,

Jim

Jim Bitzenburg
Senior Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov

TRANSFER SYNOPSIS

Date: August 30, 2021
To: Transfer #85256, Mountain View Land, LLC file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to change the place of use (POU), point of diversion (POD), and add points of diversion for a 0.20 cfs (100.00 acre-foot) portion of ground water right 36-7646 (stockwater/commercial) which is currently appurtenant to a CAFO located approximately 16.0 miles west and 1.8 miles north of Minidoka. The proposed POU is a CAFO located approximately 2.8 miles south and 2.1 miles west of Minidoka. Eight existing wells located within the proposed POU will be utilized as PODs for the transferred portion. The transfer will also modify the stockwater and/or commercial place of use of the five existing rights (2.72 cfs combined flow rate) at the proposed POU. Post transfer, the six rights will have eight authorized PODS (wells) with a total flow rate of 2.92 cfs at the proposed POU.

This transfer will be advertised and comments will be sought from the Watermaster of Water District 130.

The transfer involves a change in point of diversion from non-adjacent ESPA model grid cells so ESPA modeling is required. The model analysis shows no mitigation will be required for the proposed change.

Rights involved in the transfer include:

36-7646	Stockwater & Commercial	1.05 cfs	522.8 AF
36-7273B	Stockwater & Commercial	0.92 cfs	138.0 AF
36-7460L	Stockwater & Commercial	0.55 cfs	122.3 AF
36-13610	Stockwater & Domestic	0.24 cfs	
36-13611	Stockwater & Domestic	0.24 cfs	14.6 AF
36-16376	Stockwater & Commercial	1.25 cfs	167.7 AF

FEE MEMORANDUM

Date: August 30, 2021
To: Mountain View Land, LLC Transfer #85256 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on August 25, 2021, and its purpose is to move a 0.20 cfs portion of a stockwater/commercial right from one CAFO to another. It will also modify the place of use at the destination CAFO, which is served by five rights with a combined flow rate of 2.72 cfs. The total flow rate of the processes, 2.92 cfs, is the basis for the fee of \$660.00, from the transfer fee schedule. Brockway Engineering initially submitted \$200.00 at the time of filing (check #16562, IDWR receipt #S038790), and on August 30, 2021, submitted the remaining \$460.00, with check #16654, IDWR receipt #S038797.

Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Friday, August 27, 2021 4:09 PM
To: Bitzenburg, James
Subject: RE: Mountain View Land, LLC transfer #85256

Jim,

Yes, lets change the total allowed diversion to 2.92 cfs. That way all of the water rights at this dairy are included and accounted for.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]
Sent: Friday, August 27, 2021 3:49 PM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Mountain View Land, LLC transfer #85256

Greg-

There is one more little item, and that is to change the total amount of water proposed to be changed on page 3, from 0.20 cfs and 100.00 AF to 2.92 cfs and 528.0 AF (the amount moving in plus the combined 2.72 cfs flow rate and 428.0 AF volume limits at the dairy). Let me know if you are okay with that and thanks.

Jim

Jim Bitzenburg
Senior Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov

Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Friday, August 27, 2021 1:56 PM
To: Bitzenburg, James
Subject: RE: Mountain View Land, LLC CAFO transfer #85256

Jim,

Yes, include all of the water rights in the updated place of use. I noticed when I prepared the transfer that there was some stockyard areas not included in the current place of use and thought that this would be a good time to update the stock and commercial place of use. I will get a check written and dropped off for you.

On page 2, yes please consider that the "Add Diversion Point" box should be checked for this transfer.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]
Sent: Friday, August 27, 2021 11:42 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Mountain View Land, LLC CAFO transfer #85256

Greg-

Hi, Greg, its Friday and I'm working on the Mountain View Land, LLC transfer which was staffed to me this week. Corey and I ran the ESPA model analysis and came to the same conclusion as you, that no mitigation was necessary. I did have a couple of issues and/or clarifications to address.

- First off, you listed all of the rights at the destination place of use, and the place of use chart on page 3 is different from the POU description of those rights. Do you intend to update the POU of the existing rights at the destination POU? If so, we will need more fees, and the extra fees will be based on the flow rate of the rights at the dairy, which have a combined use limit of 2.72 cfs for the five rights; plus the amount moving in, 0.20 cfs, for a total of 2.92, or, from the fee schedule, \$660.00. You paid \$200.00 with the application, so the amount due is \$460.00. That's if you want to update the POU of the existing rights at the dairy. If not, then they probably don't need to be included in the transfer.
- On page 2, A. Purpose of Transfer, you have checked the Change point of diversion and Change place of use boxes, but because the portion of the right moving into the dairy has one POD and the dairy system has eight PODs, I believe it would be appropriate to also check the Add diversion points box.

That's all I've run into so far. I'll get the data entered today, Friday, and have it ready to advertise early next week. Thanks,

Jim

Jim Bitzenburg
Senior Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

AUG 25 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

February 23, 2021

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Mountain View Land LLC

Dear Mr. Skinner:

Mountain View Land LLC desires to transfer 100.0 acre feet of stock and commercial water from a feedlot near the town of Minidoka to an existing dairy facility locally known as the Whitesides Dairy. This transfer will move a 0.20 cfs portion of water right 36-7646.

This transfer has been discussed with Nathan Erickson of IDWR and also yourself regarding the current water right needs at the dairy facility. This transfer will provide an adequate volume of annual water to ensure an over pumping does not occur at the dairy facility.

The ownership, period of use and beneficial use of the 0.20 cfs portion of 36-7646 will not be changing with this transfer. The place of use and points of diversion will be changed with this transfer. ESPA model analysis indicates that no mitigation is required for this transfer application.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Mountain View Land LLC

Enc: Transfer Application, ESPA Model Analysis, Aerial Maps, Annual Report, RABO
Finance Letter of Consent, Brockway Engineering Check # 16562 for \$200.00.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506