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JUL 06 2021

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

85137

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) Box Canyon Land Holdings LLCCheck 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: The ownership of the water rights will not be changing with this transfer.

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) Box Canyon Land Holdings LLC Phone _____
Mailing address PO Box 140 Wendell, Idaho 83355 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

Jeannie Lyn Osanda
Print Name and Title if applicable

Manager
Date 6-30-2021

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ 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 § 42-221.0.8?
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 will move several portions of stock and commercial water to one centralized dairy facility. A new POD is proposed to be drilled after this transfer is approved.

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DEPT OF WATER RESOURCES
SOUTHERN REGION

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.		<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part						
☐	☒	36-7387D	0.08/41.3	Stock and Commercial	1/01 to 12/31	Ground Water
☐	☒	36-2312D	0.13/41.3	Stock and Commercial	1/01 to 12/31	Ground Water
☒	☐	36-8367	0.11/8.7	Stock and Commercial	1/01 to 12/31	Ground Water
☒	☐	36-10395	0.06/14.6	Stock	1/01 to 12/31	Ground Water
☒	☐	36-8362	1.0/116.4	Stock and Commercial	1/01 to 12/31	Ground Water
☒	☐	36-4151B	1.04/206.0	Stock and Commercial	1/01 to 12/31	Ground Water
☒	☐	36-10899	0.04/14.6	Stock	1/01 to 12/31	Ground Water
☐	☒	36-7871	0.20/25.1	Stock and Commercial	1/01 to 12/31	Ground Water
☐	☒	36-7291D	0.09/18.5	Stock and Commercial	1/01 to 12/31	Ground Water

Total authorized under rights 4.06 cfs and/or 551.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.74 cubic feet per second and/or 430.6 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	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NE	SW	25	08S	14E	Gooding	Ground Water	New Well
			SW	SW	25	08S	14E	Gooding	Ground Water	400449
			SE	SW	25	08S	14E	Gooding	Ground Water	401163
			SE	SW	25	08S	14E	Gooding	Ground Water	401149
			SW	SE	25	08S	14E	Gooding	Ground Water	401176

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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

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	
08S	14E	25									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

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 ☐ ☒	36-7387D	0.08/41.3	Stock and Commercial	1/01 to 12/31	Ground Water
☐ ☒	36-2312D	0.13/41.3	Stock and Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-8367	0.11/8.7	Stock and Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-10395	0.06/14.6	Stock and Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-8362	1.0/116.4	Stock and Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-4151B	1.04/206.0	Stock and Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-10899	0.08/14.6	Stock and Commercial	1/01 to 12/31	Ground Water
☐ ☒	36-7871	0.52/25.1	Stock and Commercial	1/01 to 12/31	Ground Water
☐ ☒	36-7291D	0.09/19.5	Stock and Commercial	1/01 to 12/31	Ground Water

Total authorized under rights 4.06 cfs and/or 551.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 3.11 cubic feet per second and/or 430.6 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	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NE	SW	25	08S	14E	Gooding	Ground Water	New Well
			SW	SW	25	08S	14E	Gooding	Ground Water	400449
			SE	SW	25	08S	14E	Gooding	Ground Water	401163
			SE	SW	25	08S	14E	Gooding	Ground Water	401149
			SW	SE	25	08S	14E	Gooding	Ground Water	401176

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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

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	
08S	14E	25									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:

One new well will be drilled and there are four existing wells. There will be pumps and flow meters on all five production wells. The well identified as WMIS #401162 will no longer be an authorized POD.

- b. Who owns the property at the point(s) of diversion? Box Canyon Land Holding LLC

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: Met Life

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:

The amount of animals at the facilities in which water is transferring from will be reduced.

- 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:

None

- 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:

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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

Current Water Right No.: 36-2312D

Current Owner: BOX CANYON LAND HOLDINGS LLC
Priority Date: 11/26/1956
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	0.25 CFS	77.4 AF
COMMERCIAL	1/01 to 12/31	0.25 CFS	77.4 AF
	<u>Total Diversion</u>	0.25 CFS	77.4 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 25, Twp 08S, Rge 14E B.M.

GOODING County

Place of Use

STOCKWATER Within GOODING County

T08S R14E S25 NENE

COMMERCIAL Within GOODING County

T08S R14E S25 NENE
T08S R14E S25 SWNE

T08S R14E S25 NWNE
T08S R14E S25 SENE

Conditions of Approval:

1. The right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The place of commercial use authorized by Transfer No. 5384 includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first beneficially used in the dairy as authorized by Transfer No. 5384.
3. 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.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. The number of milking cattle at Box Canyon Dairy No. 3 shall not exceed 896 animals.
6. The right holder shall install measuring devices at the irrigation well located in the SENE Section 25, T08S, R14E, B.M. from which water is being transferred and at the dairy well(s) in the NENE of Section 25, T08S, R14E, B.M. The right holder shall measure and annually report to the Department the amount (cfs and acre-feet) of water diverted under Transfer No. 5384. The Director may require more frequent measuring and reporting.
7. E60 Right Nos. 36-2312D and 36-7387D are limited to a total combined diversion rate of 0.32 cfs and to a total combined annual diversion volume of 77.4 AF.
8. Use of water under Transfer No. 5384 requires that the applicant dry up 22 acres of land located in the NENE Section 25, T08S, R14E, B.M. although 33 acres will actually be dried up.
9. T07 The right holder shall accomplish the change authorized by Transfer No. 5384 on or before October 7, 2006.

Decreed Date: 4/27/2007

A. DESCRIPTION OF RIGHT(S) AS RECORDED

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- Right Number: 36-7387D

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

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

Current Water Right No.: 36-7387D

Current Owner: BOX CANYON LAND HOLDINGS LLC

Priority Date: 10/27/1973

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	1/01 to 12/31	0.15 CFS	77.4 AF
STOCKWATER	1/01 to 12/31	0.15 CFS	77.4 AF
	<u>Total Diversion</u>	0.15 CFS	77.4 AF

Location of Point(s) of Diversion

GROUND WATER

GOODING County

NE1/4NE1/4

Sec. 25, Twp 08S, Rge 14E B.M.

Place of Use

STOCKWATER Within GOODING County

T08S R14E S25 NENE

COMMERCIAL Within GOODING County

T08S R14E S25 NENE
T08S R14E S25 SWNE

T08S R14E S25 NWNE
T08S R14E S25 SENE

Conditions of Approval:

1. The place of commercial use authorized by Transfer No. 5384 includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first beneficially used in the dairy as authorized by Transfer No. 5384.
2. E60 Right Nos. 36-2312D and 36-7387D are limited to a total combined diversion rate of 0.32 cfs and to a total combined annual diversion volume of 77.4 AF.
3. 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.
4. The right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The number of milking cattle at Box Canyon Dairy No. 3 shall not exceed 896 animals.
6. The right holder shall install measuring devices at the irrigation well located in the SENE Section 25, T08S, R14E, B.M. from which water is being transferred and at the dairy well(s) in the NENE of Section 25, T08S, R14E, B.M. The right holder shall measure and annually report to the Department the amount (cfs and acre-feet) of water diverted under Transfer No. 5384. The Director may require more frequent measuring and reporting.
7. Use of water under Transfer No. 5384 requires that the applicant dry up 22 acres of land located in the NENE Section 25, T08S, R14E, B.M. although 33 acres will actually be dried up.
8. T07 The right holder shall accomplish the change authorized by Transfer No. 5384 on or before October 7, 2006.
9. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 4/27/2007

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

Current Water Right No.: 36-4151B

Current Owner: BOX CANYON LAND HOLDINGS LLC
Priority Date: 8/15/1954
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.48 CFS	97 AF
STOCKWATER	1/01 to 12/31	0.56 CFS	109 AF
	<u>Total Diversion</u>	1.04 CFS	206 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 25,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	SE1/4SW1/4	Sec. 25,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	SE1/4SW1/4	Sec. 25,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	SW1/4SW1/4	Sec. 25,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	SE1/4SW1/4	Sec. 25,	Twp 08S,	Rge 14E B.M.
GOODING County				

Place of Use

STOCKWATER Within GOODING County

T08S R14E S25	SWSW	T08S R14E S25	SESW
T08S R14E S25	SWSE		

COMMERCIAL Within GOODING County

T08S R14E S25	SWSW	T08S R14E S25	SESW
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Page _____ of _____

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-08362 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.50 CFS.
2. TWO POINTS OF DIVERSION LOCATED IN T08S, R14E, S25, SWSW.
THREE POINTS OF DIVERSION LOCATED IN T08S, R14E, S25, SESW.
3. STOCKWATER USE IS FOR 1800 MILKING AND 2800 DRY COWS.
COMMERCIAL USE IS FOR A DAIRY.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Decreed Date: 12/29/1997

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

Current Water Right No.: 36-8362

Current Owner: BOX CANYON LAND HOLDINGS LLC
Priority Date: 6/3/1988
Origin: Water Right
Status: Active
Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.22 CFS	65.7 AF
STOCKWATER	1/01 to 12/31	0.82 CFS	50.7 AF
	<u>Total Diversion</u>	1 CFS	116.4 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 25,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	SE1/4SW1/4	Sec. 25,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	SW1/4SW1/4	Sec. 25,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	SE1/4SW1/4	Sec. 25,	Twp 08S,	Rge 14E B.M.
GOODING County				

Place of Use

STOCKWATER Within GOODING County

T08S R14E S25	SWSW	T08S R14E S25	SESW
---------------	------	---------------	------

Place of Use: COMMERCIAL same as STOCKWATER

Conditions of Approval:

1. Two points of diversion are located within the SESW and SWSW, S25, T08S, R14E.
Stockwater use is for 200 range cattle and 1200 dairy cattle.
Commercial use is for a dairy operation.
2. 09E Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Licensed Date: 2/4/1995

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

Current Water Right No.: 36-8367

Current Owner: BOX CANYON LAND HOLDINGS LLC

Priority Date: 6/21/1988

Origin: Water Right

Status: Active

Basis: License

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	0.11 CFS	7.8 AF
COMMERCIAL	1/01 to 12/31	0.11 CFS	0.9 AF
	<u>Total Diversion</u>	0.11 CFS	8.7 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 25, Twp 08S, Rge 14E B.M.

GOODING County

Place of Use

STOCKWATER Within GOODING County

T08S R14E S25

NENE

Place of Use: COMMERCIAL same as STOCKWATER

Conditions of Approval:

1. R09 Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.
2. Stockwater use is for 200 dairy cattle.
Commercial use is for a dairy barn.

Licensed Date: 4/28/1992

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

Current Water Right No.: 36-10395

Current Owner: BOX CANYON LAND HOLDINGS LLC

Priority Date: 7/1/1984

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	0.02 CFS	
DOMESTIC	1/01 to 12/31	0.04 CFS	
	<u>Total Diversion</u>	0.06 CFS	

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4SW1/4

Sec. 25, Twp 08S, Rge 14E B.M.

GOODING County

Place of Use

STOCKWATER Within GOODING County

T08S R14E S25

NWSW

DOMESTIC Within GOODING County

T08S R14E S25

NWSW

Conditions of Approval:

1. PARCEL NO. RP08S14E254800 STOCKWATER/40 HEAD RANGE CATTLE
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Decreed Date: 12/13/1996

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

Current Water Right No.: 36-10899

Current Owner: BOX CANYON LAND HOLDINGS LLC

Priority Date: 1/31/1950

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	1/01 to 12/31	0.04 CFS	
DOMESTIC	1/01 to 12/31	0.04 CFS	
	<u>Total Diversion</u>	0.08 CFS	

Location of Point(s) of Diversion

GROUND WATER

SW1/4SW1/4

Sec. 25, Twp 08S, Rge 14E B.M.

GOODING County

Place of Use

STOCKWATER Within GOODING County

T08S R14E S25 SWSW

DOMESTIC Within GOODING County

T08S R14E S25 SWSW

Conditions of Approval:

1. PARCEL NO. RP 08S14E256000.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Decreed Date: 12/10/1996

JUL 22 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 36-7871

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

RECEIVED

JUL 21 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 367871

1. amount _____ (cfs/ac-ft) for _____ Stock and Commercial _____ purposes from _____ 1/01 _____ to _____ 12/31 _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

[illegible]

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

Current Water Right No.: 36-7871

Current Owner: BOX CANYON LAND HOLDINGS LLC

Priority Date: 9/24/1979

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.8 CFS	13.9 AF
IRRIGATION	4/01 to 10/31	0.8 CFS	160 AF
STOCKWATER	1/01 to 12/31	0.16 CFS	34.8 AF
	<u>Total Diversion</u>	1 CFS	208.7 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 26,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	NW1/4NE1/4	Sec. 26,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	NW1/4NE1/4	Sec. 26,	Twp 08S,	Rge 14E B.M.
GOODING County				

Place of Use

IRRIGATION Within GOODING County

T08S R14E S26	NWNE	16.50	T08S R14E S26	SWNE	23.50
Total Acres: 40					

STOCKWATER Within GOODING County

T08S R14E S26	NWNE
---------------	------

COMMERCIAL Within GOODING County

T08S R14E S26	NWNE
---------------	------

Conditions of Approval:

1. SF2 This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.
2. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
4. R09 Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.
5. Three points of diversion are located within NWNE, S26, T08S, R14E. Right 36-10264 is also diverted through the point(s) of diversion described above.
Commercial use is for a dairy operation.
Stockwater use is for 650 dairy cattle and 700 range cattle.
6. R56 Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. R57 The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.

Licensed Date: 3/23/1995

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

Current Water Right No.: 36-7291D

Current Owner: BOX CANYON LAND HOLDINGS LLC
Priority Date: 1/23/1973
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	1/01 to 12/31	0.32 CFS	29.9 AF
STOCKWATER	1/01 to 12/31	0.32 CFS	34.7 AF
	<u>Total Diversion</u>	0.32 CFS	64.6 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 35,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	NE1/4NE1/4	Sec. 35,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	NE1/4NE1/4	Sec. 35,	Twp 08S,	Rge 14E B.M.
GOODING County				

Place of Use

STOCKWATER Within GOODING County

T08S R14E S35 NENE

COMMERCIAL Within GOODING County

T08S R14E S35 NENE

Conditions of Approval:

1. The total instantaneous diversion of water from all points of diversion under Transfer No. 4781 shall not exceed 0.32 cfs, nor total combined annual volume of 64.6 af.
2. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
6. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Four points of diversion are located within NENE, S35, T08S, R14E.

Decreed Date: 1/15/1998

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ 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. Label it **Attachment #7b**.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

Transfer contains _____ pages and _____ attachments.

Received by SG Date 7/6/21 Preliminary check by _____ Date _____

Fee paid \$740.⁰⁰ Date 7/6/21 Received by SG Receipt # 5038688

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Instrument . 63688

GOODING, GOODING, IDAHO

12-27-2018 01:12:54 PM No. of Pages: 5

Recorded for : TITLEONE

DENISE M. GILL

Fee: 15.00

Ex-Officio Recorder Deputy

QUITCLAIM DEED

FOR VALUE RECEIVED, **BOX CANYON DAIRY**, an Idaho general partnership, MARY JANE HEIDA, LLC, TOM HEIDA, LLC, JEREMY CRAIG, LLC, JEANNIE ONAINDIA, LLC, and DAWNA CIOCCA, LLC, Partners, hereinafter called the "Grantor", hereby remises, releases, and forever quitclaims unto **BOX CANYON LAND HOLDINGS, LLC**, an Idaho limited liability company, whose address is P.O. Box 140, Wendell, Idaho 83355, hereinafter called the "Grantee", all its right, title and interest in the following described real property located in Gooding County, Idaho, to-wit:

PARCEL NO. 1:

(Tax Parcel No. RP 08S14E258811 A)

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: That part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Beginning at the Southeast corner of said Section 25;
Thence North 89°47' West, 1395.08 feet along the Southerly boundary of Section 25, to THE
TRUE POINT OF BEGINNING;
Thence North 0°13' East, 203.75 feet;
Thence North 89°47' West, 1069.00 feet;
Thence South 0°13' West, 203.75 feet to a point in the Southerly boundary of Section 25;
Thence South 89°47' East, 1069.00 feet along the Southerly boundary of Section 25, to THE
TRUE POINT OF BEGINNING.

PARCEL NO. 2:

(Tax Parcel No. RP 08S15E192402 A)

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 19: Lots 1, 2, and 3; E $\frac{1}{2}$ NW $\frac{1}{4}$; and that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Commencing at the Northeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, the real point of
beginning;
Thence South 00°01'20" West along the East boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of
1098.26 feet to a point marked by a ½ inch iron pin with a cap marked LS No.
884;
Thence North 89°45'02" West a distance of 616.70 feet to a point marked by a ½ inch
iron pin with a cap marked LS No. 884;
Thence South 71°01'10" West a distance of 461.62 feet to a point marked by a ½ inch
iron pin with a cap marked LS No. 884;

QUITCLAIM DEED

-1-

H:\KLW\clients\Box Canyon Dairy\Box Canyon Land Holdings LLC\Real Property\Quitclaim-BCDtoBCLH (3 omitted
parcels).doc

Thence North 89°45'02" West a distance of 267.72 feet to a point on the West boundary of the NE¼SW¼ marked by a ½ inch iron pin with a cap marked LS No. 884;
Thence North 00°02'00" East along the West boundary of the NE¼SW¼ a distance of 1249.60 feet to the Northwest corner of the NE¼SW¼;
Thence South 89°46'52" East along the North boundary of the NE¼SW¼ a distance of 1320.64 feet to a point, which point is the real point of beginning.

Together with a permanent nonexclusive road easement 25 feet in width as created in Warranty Deed dated May 3, 2000, recorded May 3, 2000 as Instrument Number 185662, Gooding County records, over the area more particularly described below:

Commencing at the Northeast corner of the NE¼SW¼ of Section 19, the real point of beginning;

Thence South 00°01'20" West along the East boundary of the NE¼SW¼ a distance of 1098.26 feet to a point marked by a ½ inch iron pin with a cap marked LS No. 884;

Thence North 89°45'02" West a distance of 616.70 feet to a point marked by a ½ inch iron pin with a cap marked LS No. 884;

Thence South 71°01'10" West a distance of 461.62 feet to a point marked by a ½ inch iron pin with a cap marked LS No. 884;

Thence North 89°45'02" West a distance of 242.72 feet to a point, the real point of beginning;

Thence continuing North 89°45'02" West a distance of 25 feet to a point on the West boundary of the NE¼SW¼ marked by a ½ inch iron pin with a cap marked LS No. 884;

Thence South 00°02'00" West along the West boundaries of the NE¼SW¼ and the SE¼SW¼ a total distance of 1387.58 feet to a point on the South boundary of Section 19, which point is in a public road;

Thence in the public road and along the South boundary of Section 19 South 89°43'12" East a distance of 25 feet to a point;

Thence North 00°02'00" East a distance of 1387.58 feet, more or less, to a point, which point is the real point of beginning.

PARCEL NO. 3:

(Tax Parcel No. RP 08S15E312811 A)

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: That part of the NE¼NW¼ lying South of the North Side Canal Company "S" Coulee.

Together with all water rights appurtenant thereto.

TO HAVE AND TO HOLD the premises, with their appurtenances, unto said Grantee, and the Grantee's successors and assigns forever.

DATED this 26 day of December, 2018.

"GRANTORS"
BOX CANYON DAIRY
An Idaho general partnership

MARY JANE HEIDA, LLC, Partner



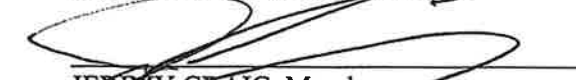
MARY JANE HEIDA, Member

TOM HEIDA, LLC, Partner



TOM HEIDA, Member

JERIMY CRAIG, LLC, Partner



JERIMY CRAIG, Member

JEANNIE ONAINDIA, LLC, Partner



JEANNIE ONAINDIA, Member

DAWNA CIOCCA, LLC, Partner

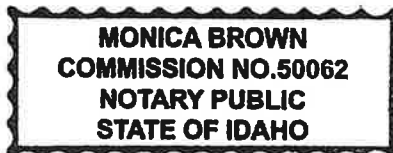


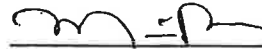
DAWNA CIOCCA, Member

STATE OF IDAHO)
:SS.
County of Jerome)

On this 26 day of December, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MARY JANE HEIDA, as a Member of MARY JANE HEIDA, LLC, an Idaho limited liability company, Partner of Box Canyon Dairy, an Idaho general partnership, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of said company.

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

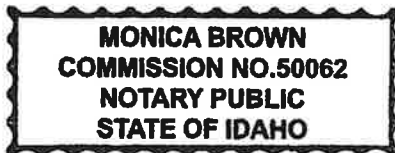



NOTARY PUBLIC for Idaho
Residing at: Hagerman, ID
Commission Expires: 5-25-19

STATE OF IDAHO)
:SS.
County of Jerome)

On this 26 day of December, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JEANNIE ONAINDIA, as a Member of JEANNIE ONAINDIA, LLC, an Idaho limited liability company, Partner of Box Canyon Dairy, an Idaho general partnership, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same on behalf of said company.

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

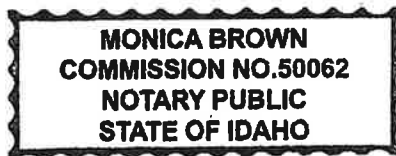



NOTARY PUBLIC for Idaho
Residing at: Hagerman, ID
Commission Expires: 5-25-19

STATE OF IDAHO)
:SS.
County of Jerome)

On this 26 day of December, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared TOM HEIDA, as a Member of TOM HEIDA, LLC, an Idaho limited liability company, Partner of Box Canyon Dairy, an Idaho general partnership, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same on behalf of said company.

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




NOTARY PUBLIC for Idaho
Residing at: Hagerman, ID
Commission Expires: 5-25-19

QUITCLAIM DEED

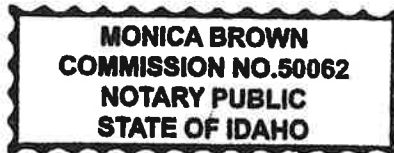
-4-

H:\KLW\clients\Box Canyon Dairy\Box Canyon Land Holdings LLC\Real Property\Quitclaim-BCDtoBCLH (3 omitted parcels).doc

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 26 day of December, 20 18, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JERIMY CRAIG, as a Member of JERIMY CRAIG, LLC, an Idaho limited liability company, Partner of Box Canyon Dairy, an Idaho general partnership, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of said company.

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

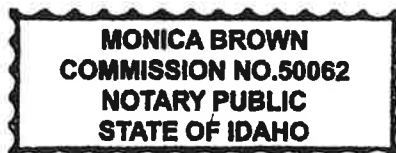



NOTARY PUBLIC for Idaho
Residing at: Hagerman, ID
Commission Expires: 5-25-19

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 26 day of December, 20 18, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DAWNA CIOCCA, as a Member of DAWNA CIOCCA, LLC, an Idaho limited liability company, Partner of Box Canyon Dairy, an Idaho general partnership, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same on behalf of said company.

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




NOTARY PUBLIC for Idaho
Residing at: Hagerman, ID
Commission Expires: 5-25-19

Instrument # 231728

GOODING, GOODING, IDAHO

8-25-2009

02:28:02 No. of Pages: 28

Recorded for : WILLIAMS, MESERVY & LOTHSPICH

DENISE M. GILL Fee: 84.00

Ex-Officio Recorder Deputy

Re-recorded to correct legal

QUITCLAIM DEED

FOR VALUE RECEIVED, **BOX CANYON DAIRY**, an Idaho general partnership, FRANS AARDEMA, TOM HEIDA, JERIMY CRAIG, JEANNIE WOLVERTON, and DAWNA CIOCCA, Partners, hereinafter called the "Grantor", hereby remises, releases, and forever quitclaims unto **BOX CANYON LAND HOLDINGS, LLC**, whose address is 3492 South 1600 East, Wendell, Idaho 83355, hereinafter called the "Grantee", all its right, title and interest in the following described real property located in Gooding County, Idaho, to-wit:

See Exhibit A attached hereto.

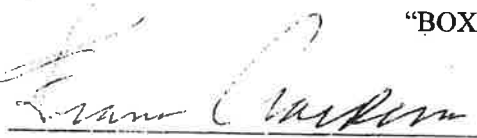
Together with all water rights appurtenant thereto including but not limited to:

See Exhibit B attached hereto.

TO HAVE AND TO HOLD the premises, with their appurtenances unto said Grantee, and the Grantee's successors and assigns forever.

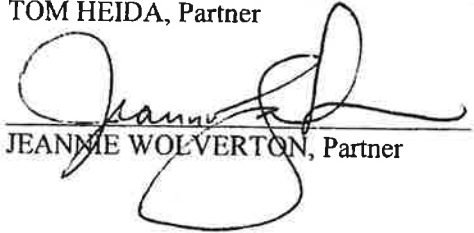
DATED this 19th day of December, 2008.

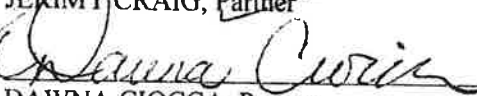
"GRANTOR"
"BOX CANYON DAIRY"


FRANS AARDEMA, Partner


TOM HEIDA, Partner


JERIMY CRAIG, Partner


JEANNIE WOLVERTON, Partner


DAWNA CIOCCA, Partner

STATE OF IDAHO)

SS:

County of Jerome)

Instrument # 231816

Re-Recorded

GOODING, GOODING, IDAHO

9-2-2009

11:24:19 No. of Pages: 28

Recorded for : WILLIAMS, MESERVY & LOTHSPICH

DENISE M. GILL Fee: 84.00

Ex-Officio Recorder Deputy

On this 19th day of December, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared FRANS AARDEMA, Partner of Box Canyon Dairy, an Idaho general partnership, known to me to be such partner and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of the partnership.

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

QUITCLAIM DEED - I

\\SERVER\\SHARE\\DATA\\BOX CANYON DAIRY\\BOX CANYON LAND HOLDINGS LLC\\QUITCLAIM.DOC



[Signature]

NOTARY PUBLIC for Idaho

Residing at: Jerome

Commission Expires: 1/27/11

STATE OF IDAHO

)
SS:

County of Jerome

On this 19th day of December, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared TOM HEIDA, Partner of Box Canyon Dairy, an Idaho general partnership, known to me to be such partner and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of the partnership.

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



[Signature]

NOTARY PUBLIC for Idaho

Residing at:

Commission Expires:

STATE OF IDAHO

)
SS:

County of Jerome

On this 19th day of December, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JERIMY CRAIG, Partner of Box Canyon Dairy, an Idaho general partnership, known to me to be such partner and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of the partnership.

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



[Signature]

NOTARY PUBLIC for Idaho

Residing at: Jerome

Commission Expires: 1/27/11

STATE OF IDAHO

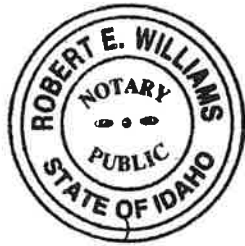
County of Jerome

On this 19th day of December, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JEANNIE WOLVERTON, Partner of Box Canyon Dairy, an Idaho general partnership, known to me to be such partner and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same on behalf of the partnership.

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

QUITCLAIM DEED - 2

\\SERVER\SHARE\DATA\BOX CANYON DAIRY\BOX CANYON LAND HOLDINGS LLC\QUITCLAIM.DOC



[Signature]

NOTARY PUBLIC for Idaho
Residing at: *Jerome*
Commission Expires: *1/27/11*

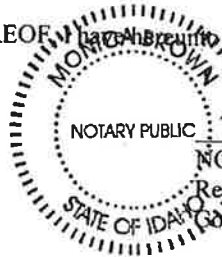
STATE OF IDAHO

SS:

County of Jerome)

On this 22nd day of December, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DAWNA CIOCCA, Partner of Box Canyon Dairy, an Idaho general partnership, known to me to be such partner and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same on behalf of the partnership.

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



[Signature]
NOTARY PUBLIC for Idaho

Residing at: *Jerome, ID*
Commission Expires: *5-29-2013*

REAL PROPERTY

TRACT 1 - NIAGARA SPRINGS

PARCEL A - NIAGARA SPRINGS PARCEL:

TOWNSHIP 8 SOUTH, RANGE 15 EAST, OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 31: NE1/4, EXCEPTING THEREFROM a parcel of land located in the NW1/4NE1/4 more particularly described as follows:

Commencing at the Northwest corner of the NW1/4NE1/4, said point being the REAL POINT OF BEGINNING;

Thence South 89°52'00" East 888.39 feet along the Northerly boundary of said NW1/4NE1/4

Thence Southwesterly 1301.51 feet along a curve to the left having a central angle of 53°38'54"; a radius of 1390.00 feet; a tangent of 702.88 feet and a long chord bearing and distance of South 45°25'10" West 1254.49 feet;

Thence North 0°04'00" West 882.62 feet along the Westerly boundary of said NW1/4NE1/4 to the REAL POINT OF BEGINNING.

LOT 2, EXCEPTING THEREFROM the following described tract;

Beginning at the Northwest corner of said Lot 2;

Thence South 521.00 feet along the West boundary of said Lot 2;

Thence South 89°52'00" East, 418.00 feet;

Thence North 521.00 feet to the North line of said Lot 2;

Thence North 89°52'00" West, 418.00 feet to the point of beginning.

LOT 3; SE1/4NW1/4, NE1/4SW1/4, NW1/4SE1/4;

The North 447.80 feet of Lot 4;

The North 447.80 feet of the SE1/4SW1/4;

The North 447.80 feet of the SW1/4SE1/4; Part of the NE1/4NW1/4 lying South of the "S" Coulee of the North Side Canal System.

EXCEPTING THEREFROM a portion of Lots 2, 3 & 4, of Section 31, deeded to West Point Highway District No. 4 by Warranty Deed dated July 9, 1993, recorded July 22, 1993, as Instrument Number 153454, Gooding County records, more particularly described as follows:

EXHIBIT A

A parcel of land being on both sides of the centerline of the Clear Lakes Grade Highway, Project No. RS-2709(6) Highway Survey as shown on the plans thereof now in file in the office of the Idaho Transportation Department, and being a portion of Government Lots 2, 3 & 4 of Section 31, Township 8 South, Range 15 East, Boise Meridian, and is a portion of Parcel 28B as described in that certain Warranty Deed dated May 18, 1998, recorded May 30, 1998, as Instrument Number 136804, records of Gooding County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of Section 31, Township 8 South, Range 15 East, Boise Meridian, which bears North $89^{\circ}16'10''$ West -75.00 feet from Station 68 +68.10 of said Clear Lakes Grade Highway, Project No. RS-2709(6) Highway Survey;

Thence North $0^{\circ}43'50''$ East along the West line of said Section 31 a distance of 875.00 feet to the Northwest corner of the South 875.00 feet of Government Lot 4 of said Section 31 which bears North $89^{\circ}51'42''$ West -71.94 feet from Station 77 +43.89 of said Highway Survey and being the Real Place of Beginning;

Thence continuing North $0^{\circ}43'50''$ East along said West line 2569.88 feet in the Southwest corner of the tract of land as described in that certain Warranty Deed dated February 14, 1919, and recorded as Instrument Number 19712, records of said Gooding County which bears North $89^{\circ}32'19''$ West -25.64 feet from Station 103 +13.62 of said Highway Survey;

Thence South $89^{\circ}15'09''$ East along the South line of said tract 85.64 feet to a point in a line parallel with and 60.00 feet Easterly from the centerline and radially from Station 103 +13.07 of said Highway Survey;

Thence along said parallel line as follows:

Southerly along a 57,235.78 foot radius curve left 1,160.24 feet to a point opposite Station 91 +51.68 of said Highway Survey;

South $0^{\circ}42'08''$ East -567.23 feet to a point opposite Station 85 +84.45 of said Highway Survey;

Southerly along a 57,355.98 foot radius curve right 842.66 feet to a point in the North line of the South 875.00 feet of said Government Lot 4 that bears South $89^{\circ}51'38''$ East from Station 77 +42.78 of said Highway Survey;

Thence North $89^{\circ}20'55''$ West along said North line 131.95 feet to the Real Place of Beginning.

Section 31: Elyse

EXHIBIT A

FARM 1:

PARCEL NO. 1:

Township 8 South, Range 15 East, Boise Meridian, Gooding County.

Section 30: S½SE¼NE¼

PARCEL NO. 2:

Township 8 South, Range 15 East, Boise Meridian, Gooding County.

Section 30: Lot 2; SW¼NE¼; SE¼NW¼; NW¼ SE¼

PARCEL NO. 3:

Township 8 South, Range 15 East, Boise Meridian, Gooding County.

Section 30: N½NE¼; N½SE¼NE¼

PARCEL NO. 4:

Township 8 South, Range 15 East, Boise Meridian, Gooding County.

Section 30: NE¼NW¼ ; Lot 1

PARCEL NO. 5:

Township 8 South, Range 15 East, Boise Meridian, Gooding County

Section 30: S½SE¼

FARM 2:

PARCEL 1:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 20: SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$

Section 29: Part of NW $\frac{1}{4}$ NW $\frac{1}{4}$ - Described as follows:

Beginning at the Northwest corner for Section 29, the TRUE POINT OF BEGINNING;

Thence South 0°01'04" East 453.47 feet along the Westerly boundary of said Section 29;

Thence South 89°56'28" East 654.58 feet along an existing fence;

Thence South 71°25'55" East 702.18 feet along said fence to the Easterly boundary of NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 0°02'43" East 673.50 feet along said Easterly boundary to the Northeast corner of NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 89°48'58" West 1320.89 feet along the Northerly boundary of Section 29 to the TRUE POINT OF BEGINNING;

Said parcel of land containing 15.41 acres, more or less.

Parcel is subject to County road Right-of-Way 25.00 feet in width along the Westerly and Northerly boundaries.

SAME PROPERTY AS:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 20: SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$

Section 29: That Part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ which is North of the following described line:

Said line beginning at a point in the center of a drain ditch where the drain ditch crosses the East boundary of the said NW $\frac{1}{4}$ NW $\frac{1}{4}$, and then following said drain ditch West to the East and West center of said forty acres and then leaving the drain ditch and running straight West to the West boundary of the said NW $\frac{1}{4}$ NW $\frac{1}{4}$

Parcel No. 1:

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 26: NW $\frac{1}{4}$ NE $\frac{1}{4}$;

Parcel No. 2:

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 26: That part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Commencing at the East quarter corner of Section 26, said point lies South 0°01'46" West, 2639.45 feet from the Northeast corner of Section 26;

Thence North 00°01'46" East along the East boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1319.72 feet to the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26;

Thence North 89°57'54" West along the North boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1320.02 feet to the Northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, which is THE REAL POINT OF BEGINNING;

Thence North 89°57'54" West along the North boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1320.02 feet to the Northwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;

Thence South 00°01'06" West along the West boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1060.69 feet;

Thence South 89°28'21" East, 1319.96 feet to the East boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;

Thence North 00°01'27" East along the East boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1072.04 feet to THE REAL POINT OF BEGINNING.

Parcel No. 3:

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 26: NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Parcel No. 4:

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 26: NE $\frac{1}{4}$ NE $\frac{1}{4}$

Parcel No. 5:

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 24: SW $\frac{1}{4}$

Parcel No. 6:

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 24: N $\frac{1}{2}$ SE $\frac{1}{4}$;

TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 19: Lots 1, 2, and 3; E $\frac{1}{2}$ NW $\frac{1}{4}$; and that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Commencing at the Northeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, the real point of beginning;
Thence South 00°01'20" West along the East boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 1098.26 feet to a point marked by a $\frac{1}{2}$ inch iron pin with a cap marked LS No. 884;
Thence North 89°45'02" West a distance of 616.70 feet to a point marked by a $\frac{1}{2}$ inch iron pin with a cap marked LS No. 884;
Thence South 71°01'10" West a distance of 461.62 feet to a point marked by a $\frac{1}{2}$ inch iron pin with a cap marked LS No. 884;
Thence North 89°45'02" West a distance of 267.72 feet to a point on the West boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ marked by a $\frac{1}{2}$ inch iron pin with a cap marked LS No. 884;
Thence North 00°02'00" East along the West boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 1249.60 feet to the Northwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence South 89°46'52" East along the North boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 1320.64 feet to a point, which point is the real point of beginning

TOGETHER with a permanent nonexclusive road easement 25 feet in width over the area more particularly described below:

Commencing at the Northeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, the real point of beginning;
Thence South 00°01'20" West along the East boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 1098.26 feet to a point marked by a $\frac{1}{2}$ inch iron pin with a cap marked LS No. 884;
Thence North 89°45'02" West a distance of 616.70 feet to a point marked by a $\frac{1}{2}$ inch iron pin with a cap marked LS No. 884;
Thence South 71°01'10" West a distance of 461.62 feet to a point marked by a $\frac{1}{2}$ inch iron pin with a cap marked LS No. 884;
Thence North 89°45'02" West a distance of 242.72 feet to a point, the real point of beginning;
Thence continuing North 89°45'02" West a distance of 25 feet to a point on the West boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ marked by a $\frac{1}{2}$ inch iron pin with a cap marked LS No. 884;
Thence South 00°02'00" West along the West boundaries of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ a total distance of 1387.58 feet to a point on the South boundary of Section 19, which point is in a public road;
Thence in the public road and along the South boundary of Section 19 South 89°43'12" East a distance of 25 feet to a point;
Thence North 00°02'00" East a distance of 1387.58 feet, more or less, to a point, which point is the real point of beginning.

Parcel No. 7:

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 35: W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 63.00 shares of North Side Canal Company Stock, and also including any licensed domestic or irrigation water rights, licenses with the State of Idaho, including but not limited to Water right number 36-10264, 36-07871, 36-10362, 36-10363, 36-07450B, 36-02374A and 36-10692.

Parcel No. 8:

TOWNSHIP 8 SOUTH, RANGE 14 EAST, OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 35: SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NE $\frac{1}{4}$ excepting NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$

Parcel No. 9:

TOWNSHIP 8 SOUTH, RANGE 14 EAST, OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 35: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$

EXHIBIT A

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 25: The South one-half of the Northwest Quarter; the North one-half of the North one-half of the Southwest Quarter and part of the South one-half of the North one-half of the Southwest Quarter, more particularly described as follows:

Commencing at the West quarter of said Section 25;
Thence South 0°01'46" West along the Westerly boundary of said Section 25 for 659.86 feet to the
TRUE POINT OF BEGINNING;
Thence South 89°54'14" East, 370.00 feet;
Thence South 0°01'46" West, 58.00 feet;
Thence North 89°54'14" West, 370.00 feet to a point on the Westerly boundary of said Section 25;
Thence North 0°01'46" East along the Westerly boundary of said Section 25 for 58.00 feet to the
TRUE POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide County Road Easement parallel and adjoining the West and North Section lines of the above parcel.

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 25: The South one-half of the Southwest Quarter; the South one-half of the Southeast Quarter; and the South one-half of the North one-half of the Southwest Quarter:

EXCEPTING THEREFROM a portion of the South one-half of the North one-half of the Southwest Quarter more particularly described as follows:
Commencing at the West quarter corner of said Section 25;
Thence South 0°01'46" West along the Westerly boundary of said Section 25 for 659.86 feet to the
TRUE POINT OF BEGINNING;
Thence South 89°54'14" East, 370.00 feet;
Thence South 0°01'46" West, 58.00 feet;
Thence North 89°54'14" West, 370.00 feet to a point on the Westerly boundary of said Section 25;
Thence North 0°01'46" East along the Westerly boundary of said Section 25 for 58.00 feet to the
TRUE POINT OF BEGINNING.

-Continued-

EXHIBIT A CONTINUED

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 26: Part of the East one-half of the Southeast Quarter more particularly described as follows:

Commencing at the East quarter corner of said Section 26, said point lies North 00°01'46" East, 2639.45 feet from the Southeast corner of said Section 26;

Thence South 00°01'46" West, 846.67 feet along the East boundary of said Section 26 to the REAL POINT OF BEGINNING;

Thence South 00°01'46" West, 969.39 feet along the East boundary of said Section 26;

Thence North 54°25'57" West, 106.43 feet;

Thence North 58°48'34" West, 146.00 feet;

Thence North 44°26'35" West, 129.82 feet;

Thence North 60°19'24" West, 41.25 feet;

Thence South 79°57'04" West, 49.14 feet;

Thence South 44°40'19" West, 112.72 feet;

Thence South 66°56'30" West, 128.81 feet;

Thence South 71°07'29" West, 90.58 feet;

Thence North 79°04'23" West, 96.36 feet;

Thence North 87°48'49" West, 63.37 feet;

Thence North 36°55'13" East, 353.90 feet;

Thence North 24°50'16" East, 256.76 feet;

Thence North 12°18'57" East, 251.63 feet;

Thence North 00°01'57" East, 103.46 feet;

Thence North 89°49'48" East, 454.34 feet to the REAL POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide County Road Easement parallel and adjoining the East boundary of the above described parcel.

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 26: Part of the Southeast Quarter of the Northeast Quarter and part of the Northeast Quarter of the Southeast Quarter more particularly described as follows:

Commencing at the Southeast corner of said Section 26, from which the East quarter corner of Section 26 bears North 00°01'46" East, 2639.45 feet;

Thence North 00°01'46" East along the East boundary of the Southeast Quarter of said Section 26 for a distance of 1792.78 feet to the TRUE POINT OF BEGINNING;

Thence South 89°49'48" West for a distance of 454.34 feet;

Thence North 00°01'57" East for a distance of 152.94 feet;

Thence North 12°33'36" West for a distance of 246.13 feet;

Thence North 26°01'14" West for a distance of 264.54 feet;

Thence North 37°35'53" West for a distance of 209.32 feet;

-Continued-

EXHIBIT A CONTINUED

Thence North 42°53'28" West for a distance of 308.14 feet;
Thence North 78°17'15" West for a distance of 364.43 feet;
Thence North 89°40'48" West for a distance of 1.26 feet to a point on the West boundary of the Southeast Quarter of the Northeast Quarter of said Section 26;
Thence North 00°01'27" East along the West boundary of the Southeast Quarter of the Northeast Quarter of Section 26 for a distance of 1072.04 feet to the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 26;
Thence South 89°57'54" East along the North boundary of the Southeast Quarter of the Northeast Quarter of said Section 26 for a distance of 1320.02 feet to the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 26;
Thence South 00°01'46" West along the East boundary of the Southeast Quarter of the Northeast Quarter of said Section 26 for a distance of 1319.72 feet to the East quarter corner of said Section 26;
Thence continuing South 00°01'46" West along the East boundary of the Northeast Quarter of the Southeast Quarter of said Section 26 for a distance of 846.67 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide County Road Easement along the Easterly boundary of the above described parcel.

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 25: The Northwest Quarter of the Northwest Quarter

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY IDAHO

Section 27: Part of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter more particularly described as follows:

Commencing at the Southwest corner of said Section 27 from which the West quarter corner of said Section 27 bears North 00°01'07" West, 2638.27 feet;
Thence North 00°01'07" West along the West boundary of the Southwest Quarter of the Southwest Quarter of said Section 27 for a distance of 994.88 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 00°01'07" West along the West boundary of the Southwest Quarter of said Section 27 for a distance of 1643.39 feet to the West quarter corner of said Section 27;
Thence South 89°44'54" East along the North boundary of the Southwest Quarter of said Section 27 for a distance of 2073.06 feet;
Thence South 31°30'43" West for a distance of 231.48 feet;
Thence South 01°05'19" West for a distance of 485.49 feet;
Thence South 52°10'10" West for a distance of 101.35 feet;

-Continued-

EXHIBIT A CONTINUED

Thence South 02°23'34" East for a distance of 787.29 feet;
Thence South 22°36'10" East for a distance of 348.78 feet;
Thence South 46°50'02" East for a distance of 1038.64 feet;
Thence South 01°24'08" West for a distance of 77.45 feet to a point on the South boundary of the Southwest Quarter of the Southeast Quarter of said Section 27;
Thence North 89°40'35" West along the South boundary of the Southwest Quarter of the Southeast Quarter of said Section 27 for a distance of 133.19 feet to the South quarter corner of said Section 27;
Thence North 89°45'00" West along the South boundary of the Southeast Quarter of the Southwest Quarter of said Section 27 for a distance of 1013.65 feet;
Thence North 44°16'02" West for a distance of 150.90 feet;
Thence South 66°48'41" West for a distance of 217.51 feet to a point on the West boundary of the Southeast Quarter of the Southwest Quarter of said Section 27;
Thence North 00°29'41" West along the West boundary of the Southeast Quarter of the Southwest Quarter of said Section 27 for a distance of 505.27 feet;
Thence South 79°05'12" West for a distance of 499.53 feet;
Thence North 84°40'14" West for a distance of 463.66 feet;
Thence North 24°54'40" West for a distance of 309.53 feet;
Thence North 48°52'19" West for a distance of 186.62 feet;
Thence North 46°01'57" West for a distance of 105.46 feet;
Thence North 30°50'14" West for a distance of 57.28 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide County Road Easement along the East 1146.84 feet of the Southerly boundary and along the West boundary of the above described parcel.

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 34: N½NE¼, EXCEPTING THEREFROM a tract of land for highway purposes as set forth in Right of Way Deed to the West Point Highway District No. 4, dated March 19, 1951, recorded March 29, 1951 in Book 44 Deeds Page 292, Gooding County records.

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 33: That part of Lot 1, SW¼NE¼ and NW¼SE¼ described as follows:

Commencing at the Northeast corner of said Section 33;
Thence North 89°49' West along the North boundary of Section 33, 1322.0 feet to the Northeast corner of Lot 1, said point being the TRUE POINT OF BEGINNING;
Thence South 0°11' West along the East boundary of Lot 1, the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter 3963.2 feet to the Southeast corner of the Northwest Quarter of the Southeast Quarter;

-Continued-

EXHIBIT A CONTINUED

Thence North 89°46' West along the South boundary of the Northwest Quarter of the Southeast Quarter, 1197.8 feet;
Thence North 4°51' East, 573.2 feet;
Thence North 64°15' East, 355.1 feet;
Thence North 22° 35' East, 641.0 feet;
Thence North 5°10' East, 276.7 feet;
Thence North 7°46' East, 893.0 feet;
Thence North 20°56' West, 908.6 feet;
Thence North 0°07' West, 634.9 feet, more or less, to the North Boundary of Section 33;
Thence East along the North boundary of Section 33 to the TRUE POINT OF BEGINNING.

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 25: N½NE¼, NE¼NW¼

TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 19: Lot 4, EXCEPT that part lying North of the "S-22" Canal of the North Side Canal Company System.

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 15: W½SW¼

TRACT III

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 33: E½NE¼;

Section 34: NW¼, EXCEPTING THEREFROM part of the NE¼NW¼, described as follows.

Beginning at the Northeast corner of said Northeast Quarter of the Northwest Quarter;
Thence South 0°10'4" West, 722.57 feet to the center of a natural drainage course called "The Coulee";
Thence North 55°18'57" West to the intersection with the Northerly boundary of said Northeast Quarter of the Northwest Quarter;
Thence South 89°37'28" East, 1056.28 feet to THE POINT OF BEGINNING

Dairy Water Use Requirements

Date 5/17/2021



Owner/Operator Info

Name: Bettencourt Dairies Address: 0 Telephone: 0
 County: Gooding City: Wendell State: 0 Zip Code: 0

Facility Info

Name: Dairy 7 Barns 1 & 2 Address: 0 Telephone: 0
 County: Gooding City: Wendell State: 0 Zip Code: 0

Dairy Stock Water Requirements

Animal Type	# of Animals	Animal Weight (lbs)	Animal Units	Drinking Requirement (gal/hd/day)	Drinking Requirement (gal/day)	Total Drinking (acft/yr)	Reference
Lactating 75 lbs	12,000	1,000	12,000.0	35.3	423,090	473.92	Modified Rerdz Equation, A.I. Rerdz, Halston Formula
none	0	0	0.0	0.0	0	0.00	N/A
Dry Cow 1660	1,560	1,000	1,560.0	12.0	18,720	20.97	Override
none	0	0	0.0	0.0	0	0.00	N/A
Heifer 970	2,440	800	1,952.0	10.0	24,400	27.33	Override
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
Totals	16,000		15,512.0		466,210	522.22	

Stock water requirement in acre ft/ year
 Stock water pumping diversion in cfs

522.2
 0.72



Wash Water Sizing

Rotary 80

# Cows milked	6,000			
Stations/side	106			
Strings/milking	57			
Milkings per Day	2.5 milkings/day			
Cow Prep.	0.5 gal/day			7,500 gal/day
Bulk Tank	4,500 gal/day			4,500 gal/day
Pipelines	250 gallons/cycle	3 cycles/wash		1,875 gal/day
Claw Backflush	0.1 gal/cycle	4 cycles/wash		6,000 gal/day
Entry Deck Wash	15 gpm	24 runtime hrs		21,600 gal/day
Exit Deck Wash	20 gpm	24 runtime hrs		28,800 gal/day
Claw Wash	5 gpm	24 runtime hrs		7,200 gal/day
Deck Spray	8 gpm	24 runtime hrs		11,520 gal/day
Parlor Hand Washdown -	60 gal/min	30 min/milking		4,500 gal/day
Holding Pen Hand Washdown	60 gpm	30 min/milking		4,500 gal/day
Holding Pen Flush	1200 gpm	3 # Valves		22,500 gal/day
	15 time sec.	10 #/ milking		
Miscellaneous	500	0 gal/day	Trough Cleaning	2420 gal/day
	123,415	0	0 Total Parlor gal/day	
Yearly Parlor Wash Volume		94,297,750 Gallons/year	Notes	
Yearly Parlor Wash Volume		289.41 Acre Ft/year	There is	
Commercial Diversion Rate		0.400 CFS		



Wash Water Estimates

	Rotary 106	Stalls	106	
# Cows milked	6000	Milkings per Day	2.5	
Cow Prep.	0.5 gal/day			7500 gal/day
Bulk Tank	4500 gal/day			4500 gal/day
Pipelines	250 gallons/cycle	3 cycles/wash		1875 gal/day
Claw Backflush	0.1 gal/cycle	4 cycles/wash		6000 gal/day
Entry Deck Wash	18 gpm	24 runtime hrs		25920 gal/day
Exit Deck Wash	25 gpm	24 runtime hrs		36000 gal/day
Claw Wash	5 gpm	24 runtime hrs		7200 gal/day
Deck Spray	8 gpm	24 runtime hrs		11520 gal/day
Parlor Hand Washdown -	60 gal/min	30 min/milking		4500 gal/day
Holding Pen Hand Washdown	60 gpm	30 min/milking		4500 gal/day
Holding Pen Flush	1200 gpm	3 # Valves		22500 gal/day
	15 time sec.	10 #/ milking		
Holding Pen Mistors	0 gpm	0 min/day		0 gal/day
Milk Room Cleaning	500 Gpd	Trough Cleaning	2420	2920 gal/day
Miscellaneous	0 Gpd			0 gal/day

The water sizing is for 2 Rotary parlors. The water use for the new Rotary 106 was duplicated for the second existing parlor above. The only exceptions are the deck entrance and exit sprays are slightly lower water used to result in the small difference of 9,000 gal/day.

134,935 Total Parlor gal/day
3,247,099 180 Day Volume ft3
22 gal/head/day

Recyclable Water Use	Barn 2	0	0	Rotary 106
Milking Parlor Throughput	680	0	0	680 Cows/hr
Time Milking Per Day	22.1	0.0	0.0	22.1 hours/day
Plate Cooler Water Use	92,647	-	-	92,647 Gal/day
Water Cooled Compressor	-	-	-	- Gal/day
Water Cooled Vacuum Pump	-	-	-	- Gal/day
	92,647	-	-	92,647 Total Cooling Parlor Volume/day in gallons

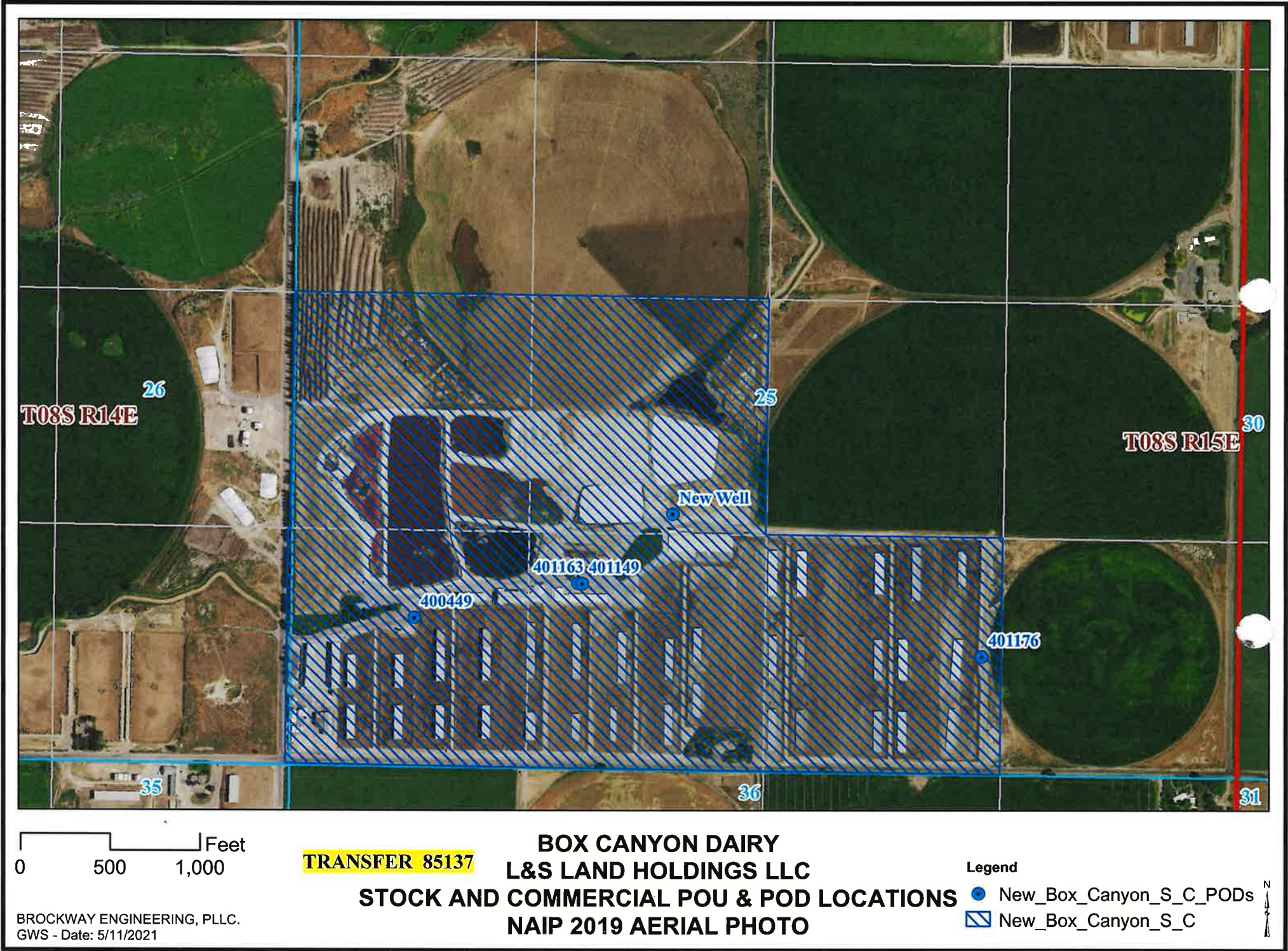
Water Use Evaluation

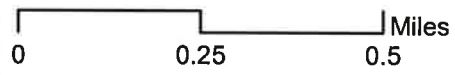
Clean Water Use	185294 Gal/day
Cow Drinking water use	466210 Gal/day
Commercial Parlor Use	258350 Gal/day
Net Excess Cooling Water	72000 Gal/day
Yearly Parlor Cooling Volume (amount exceeding that recycled)	80.0 Acre Ft/year



Total Facility Water Use Requirements

Stock water Requirement	522.2 Acre Ft/yr	
Commercial Parlor Use	289.4 Acre Ft/yr	
Additional Cooling Use	80.0 Acre Ft/yr	
Water Use Estimate	891.6 Acre Ft/yr	
Safety Factor	1.0 SF	
Total Water Use Estimate	891.6 Acre Ft/yr	
Total Diversion Rate	1.23 Cubic Feet/Second (CFS)	552.8 GPM
		1000 GPM Recommended
(this diversion rate is the minimum rate required to pump the above water use estimate 24/7/365)		





BROCKWAY ENGINEERING, PLLC.
GWS - Date: 5/18/2021

TRANSFER 85137

**BOX CANYON DAIRY
L&S LAND HOLDINGS LLC
BOX CANYON LAND HOLDINGS LLC
NAIP 2019 AERIAL PHOTO**

- Legend
- Stock_and_Comm_FROM
 - modelgrid_trimmed







Western Regional Office
Agricultural Finance
MetLife Investment Management
200 N. River Park Drive, Ste. 400
Tampa, FL 33628

Leon A. Moreno
Regional Director
Phone: (813) 470-4450
Email: lmoreno@metlife.com

Jonathan B. Dressler
Assistant Regional Director
Phone: (813) 470-4438
Email: jdressler@metlife.com

Robert Frudden
Phone: (813) 470-4448
Email: robert.frudden@metlife.com

June 25, 2021

Box Canyon Dairy, GP
Box Canyon Land Holdings, LLC
Thomas and Mary Heida
Jeannie Onaindia
Jerimy and Sandi Craig
3249 Laurelwood Ct
Twin Falls, ID 83301

Re: Metropolitan Life Insurance Company ("MetLife")
Loan No. 200129 – Box Canyon ("Borrower")
Consent to Water Rights Transfer

Ladies and Gentlemen,

Reference is made to that certain Application for Transfer of Water Rights submitted to your office by our borrower, Box Canyon Land Holdings, LLC, requesting to change the point of diversion, to add diversion points and to change the place of use of certain water right and your request that MetLife consent to this request.

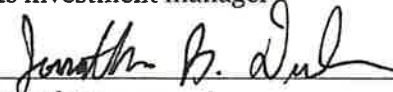
For good and valuable consideration, MetLife does hereby consent to the request to transfer water rights. All other terms and conditions of MetLife Loan No. 200129 remain in full force and effect.

We appreciate the opportunity to handle this transaction for you.

Sincerely,

Metropolitan Life Insurance Company,
a New York corporation

By: MetLife Investment Management, LLC,
its investment manager

By: 
Jonathan B. Dressler
Its Authorized Signatory and Director

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF Fresno

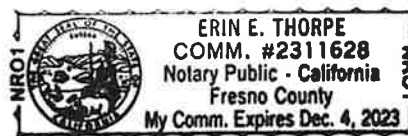
On June 25, 2021, before me, Erin E Thorpe, a Notary Public, personally appeared Jonathan B. Dressler, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Erin E Thorpe
Signature

This area for official notarial seal.





0004119708

**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 #: 0004119708

Date Filed: 1/6/2021 9:21:45 AM

B0566-0773 01/06/2021 9:21 AM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:

Entity Name: BOX CANYON LAND HOLDINGS, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000251345

Address: PO BOX 140
WENDELL, ID 83355-0140

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: W80438

The registered agent on record is:

Registered Agent: JEANNIE ONAINDIA
Registered Agent
Physical Address
1083 LAURELWOOD CT
TWIN FALLS, ID 83301
Mailing Address
PO BOX 140
WENDELL, ID 83355-0140

Agent or Address Change

☐ Select if you are appointing a new agent.

Limited Liability Company Managers and Members

Name	Title	Business Address
+ Jeannie L Onaindia	Member	1083 LAURELWOOD CT TWIN FALLS, ID 83301-1105
+ TOM HEIDA	Member	PO BOX 140 WENDELL, ID 83355
+ JERIMY CRAIG	Member	PO BOX 140 WENDELL, ID 83355
+ DAWNA CIOCCA	Member	PO BOX 140 WENDELL, ID 83355
+ MARY HEIDA	Member	PO BOX 140 WENDELL, ID 83355

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

Job Title: Member

Jeannie L Onaindia

Sign Here

01/06/2021

Date

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 117441

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

192.33

City St Zip

TWIN FALLS ID 83301

Amount Paid

0.00

Phone

2087363033

Amount Due

192.33

Fax

Section

Legals

Start/End Dates

08/05/2021 - 08/12/2021

SubSection

Insertions

2

Category

50 Legal

Size

126

Ad Key

117441-1

Salesperson(s)

Jenny Green - Legals

Keywords

Transfers: 84224, 85046, 85137

Taken By

Jenny Green

Notes

Ad Proof

✓ DM 7-30-2021

**Proof of legal notice received
from Times News 7/29/2021 (2 pgs)**

NOTICE OF PROPOSED CHANGE OF WATER RIGHT**TRANSFER NO. 84224**

FRENCH QUARTER FARMS LLC, PO BOX 9160, KETCHUM, ID 83340-7140 has filed Application No. 84224 for changes to the following water rights within GOODING County(s): Right No(s). 37-7667. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change points of diversion (POD) and the place of use (POU) for a fish propagation water right which currently diverts up to 14.85 cfs from Sullivan Creek. The proposed POU and PODs are in a general area located approximately 5.0 miles north and 1.4 miles west of the intersection of Main Street and State Street in Hagerman. The transfer reflects current conditions resulting from changes in the system that have occurred over time.

TRANSFER NO. 85046

SANDRA AGUEDA and JOE E AGUEDA, 326 E 400 N, JEROME, ID 83338 has filed Application No. 85046 for changes to the following water rights within JEROME County(s): Right No(s). 36-14860, 36-4157D. The purpose of the transfer is to change a portion of the above rights as follows: This application for transfer is being filed to add a new well as a point of diversion (POD) for two stockwater and commercial ground water rights for an existing dairy. The total diversion of up to 0.39 cfs and 48.8 af will be diverted from the new POD and the two existing PODs. The PODs and dairy site are located approximately 3.7 to 4.2 miles north and 3.0 to 3.8 miles east of the center of Jerome.

TRANSFER NO. 85137

BOX CANYON LAND HOLDINGS LLC, PO BOX 140, WENDELL, ID 83355-0140 has filed Application No. 85137 for changes to the following water rights within GOODING County(s): Right No(s). 36-10395, 36-10899, 36-2312D, 36-4151B, 36-7291D, 36-7387D, 36-7871, 36-8362, 36-8367. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding two points of diversion and changing the place of use for five stockwater & commercial water rights (2.25 cfs total) currently in use at an existing dairy facility, locally known as "Box Canyon Dairy", located approximately 5.0 to 5.5 miles south and 2.7 to 3.4 miles west of Wendell. Application also proposes changing the points of diversion and place of use for portions of four stockwater & commercial water rights (0.50 cfs total) to be transferred from three separate dairy facilities to the "Box Canyon Dairy" site. These three separate dairy facilities are all located within a half mile of the "Box Canyon Dairy" site. Application proposes a total of five wells, four existing wells and one proposed new well to be drilled at the "Box Canyon Dairy" site to allow for the diversion of a total combined rate of 2.75 cfs.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please see research.idwr.idaho.gov/ppsaterights under New Transfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 **August 23, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 5th & 12th, 2021

✓ DM
7-30-2021



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 30, 2021

BOX CANYON LAND HOLDINGS LLC
PO BOX 140
WENDELL, ID 83355-0140

RE: Transfer No. 85137

Water Right No(s). 36-10395, 36-10899, 36-2312D, 36-4151B, 36-7291D, 36-7387D,
36-7871, 36-8362, 36-8367

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 8/5/2021 and 8/12/2021**. 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 **August 23, 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
Metropolitan Life Insurance Co., c/o Metlife Investment Advisors



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 30, 2021

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

RE: Application for Transfer No. 84224
Application for Transfer No. 85046
Application for Transfer No. 85111
Application for Transfer No. 85137

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)

Maline, Denise

From: Maline, Denise
Sent: Thursday, July 29, 2021 12:55 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find (1) legal notice being submitted for publication on August 5th & 12th, 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 29, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84224
Water Right No(s). 37-7667

RE: Transfer No. 85046
Water Right No(s). 36-14860, 36-4157D

RE: Transfer No. 85137
Water Right No(s). 36-2312D, etc.

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 August 23, 2021. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84224**

FRENCH QUARTER FARMS LLC, PO BOX 9160, KETCHUM, ID 83340-7140 has filed Application No. 84224 for changes to the following water rights within GOODING County(s): Right No(s). 37-7667. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change points of diversion (POD) and the place of use (POU) for a fish propagation water right which currently diverts up to 14.85 cfs from Sullivan Creek. The proposed POU and PODs are in a general area located approximately 5.0 miles north and 1.4 miles west of the intersection of Main Street and State Street in Hagerman. The transfer reflects current conditions resulting from changes in the system that have occurred over time.

TRANSFER NO. 85046

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TRANSFER NO. 85137

BOX CANYON LAND HOLDINGS LLC, PO BOX 140, WENDELL, ID 83355-0140 has filed Application No. 85137 for changes to the following water rights within GOODING County(s): Right No(s). 36-10395, 36-10899, 36-2312D, 36-4151B, 36-7291D, 36-7387D, 36-7871, 36-8362, 36-8367. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding two points of diversion and changing the place of use for five stockwater & commercial water rights (2.25 cfs total) currently in use at an existing dairy facility, locally known as "Box Canyon Dairy", located approximately 5.0 to 5.5 miles south and 2.7 to 3.4 miles west of Wendell. Application also proposes changing the points of diversion and place of use for portions of four stockwater & commercial water rights (0.50 cfs total) to be transferred from three separate dairy facilities to the "Box Canyon Dairy" site. These three separate dairy facilities are all located within a half mile of the "Box Canyon Dairy" site. Application proposes a total of five wells, four existing wells and one proposed new well to be drilled at the "Box Canyon Dairy" site to allow for the diversion of a total combined rate of 2.75 cfs.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 **August 23, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on August 5th & 12th, 2021

M E M O R A N D U M

Date: July 27, 2021
To: Transfer 85137 File
From: Bill Mills
Re: Transfer Proposal

Transfer proposes adding two points of diversion and changing the place of use for five stockwater/commercial water rights (2.25 cfs total) currently in use at an existing dairy facility, locally known as "Box Canyon Dairy", located approximately 5.0 to 5.5 miles south and 2.7 to 3.4 miles west of Wendell. Application also proposes changing the points of diversion and place of use for portions of four stockwater/commercial water rights (0.50 cfs total) to be transferred from three separate dairy facilities to the "Box Canyon Dairy" site. These three separate dairy facilities are all located within a half mile of the "Box Canyon Dairy" site. Application proposes a total of five wells, four existing wells and one proposed new well to be drilled at the "Box Canyon Dairy" site to allow for the diversion of a total combined rate of 2.75 cfs.

All wells and places of use involved in the transfer are located within the ESPA model boundary, but modeling was not required as the wells are all located in adjacent cells. All wells and POUs in the transfer are also located within water District 130. Watermaster comments will be solicited.

MEMORANDUM

Date: July 27, 2021
To: Transfer 85137 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #85137 are based on the current transfer fee schedule and are set at \$660.00 for the 2.75 cfs being transferred in the application. Applicant's consulting firm paid \$740.00 (receipt No. S038688) and a refund of \$80.00 will be processed and returned to them.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUL 06 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

June 30, 2021

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

Re: Box Canyon Land Holdings LLC

Dear Mr. Skinner:

Box Canyon Land Holdings LLC desires to update the dairy milk cow facilities in Gooding County, Idaho. It is proposed to consolidate some of the smaller milking facilities in the general area into a more centralized and manageable operation. The stock and commercial water will be moved to the facility locally known as the Box Canyon Dairy.

It is proposed to move 41.3 acre feet of stock and commercial water from water rights 36-7387D and 36-2312D to the Box Canyon Dairy.

It is proposed to move 8.7 acre feet of stock and commercial water from water right 36-8367 to the Box Canyon Dairy.

It is proposed to move 25.1 acre feet of stock and commercial water from water right 36-7871 to the Box Canyon Dairy.

It is proposed to move 18.5 acre feet of stock and commercial water from water right 36-7291D to the Box Canyon Dairy.

The existing water rights at the Box Canyon Dairy are 36-10395, 36-8362, 36-4151B and 36-10899. These water rights provide a total of 337.0 acre feet of annual volume for the dairy facility.

The beneficial use, period use and ownership of the water will not be changing with this transfer application.

No ESPA model analysis was performed because all of the FROM locations are within adjacent ESPA model cells of the TO location.

The stock and commercial place of use of around the Box Canyon Dairy will be updated. It is also proposed that a new well be drilled to help facilitate the

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

changes that are occurring at the Box Canyon Dairy. After this transfer is approved, there will be five authorized points of diversion at this facility. Four of the existing wells are identified by IDWR with the WMIS Database numbers of 400449, 401163, 401149 and 401176. When the new well is drilled, a flowmeter will be installed on the well and IDWR will assign the new well a WMIS number for data collection.

It is anticipated that all changes associated with this transfer will be completed within 1 year after this transfer is approved by IDWR.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Greg Sullivan', is written over a light blue horizontal line.

Greg Sullivan, M.S., Engineer

Cc: Box Canyon Land Holdings LLC, Rick Onaindia

Enc: Transfer Application, Aerial Map, Quitclaim Deed, MetLife Consent Letter, Dairy Water Use Requirement, Annual Report, Brockway Engineering Check # 16301 for \$740.00.