

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84729

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

FEB 11 2021

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) Brian & Michelle Tubs

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED

FEB 11 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Brian & Michelle Tubbs Phone 208-420-9152
Mailing address 2086 East 3400 N Tula Tel 83328 Email TubbsInvested@gmail.com

- ☐ 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 STAN HAYE Snake River Mgmt Inc. Phone 208-731-9930
Mailing address 4875W Athol Canal Eagle Tel. 83616 Email STAN@SBRDRANCH.net

- ☐ 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.

Brian Tubbs
Signature of Applicant or Authorized Representative

Brian Tubbs
Print Name and Title if applicable

11-2-20
Date

Michelle Tubbs
Signature of Applicant or Authorized Representative

Michelle Tubbs
Print Name and Title if applicable

11-2-20
Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

Feedlot operating to insure 3500 head of cattle get water every day.
Currently the system has a 13,000 gallon a day use supported by Tule
water in summer and cattle bred 180 days a year Request to expand and operate.

**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.	<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 ☐ ☒	47-17555	.24	Stock Water/Comercial	JAN 1 to DEC 31	Ground Water
☐ ☒	47-17560	.11	Stock Water/Comercial	Jan 1 to Dec 31	Ground Water
☐ ☒	47-17565	.01	Stock Water/Comercial	Jan 1 to Dec 31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights .24 cfs and/or 40 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.24 cubic feet per second and/or 40 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 #
			SE	SE	1	11S	15E	Twin Falls	Ground Water	New Well
			SE	SE	1	11S	15E	Twin Falls	Ground Water	Existing Well

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	
11S	15E	1														* S/c	S/c	S/c	1

* Per email from Stan Hays received 2/25/2021

Total Acres (for irrigation use)

20

**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:
a New well will be drilled at the NE corner of the shop that well can be fixed with a flow meter after the
underground line heads due east towards the existing well both lines will be tied together to accommodate the
feedlots.

- b. Who owns the property at the point(s) of diversion? Brian & Shelly Tubbs (see Deed)
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
No other person will access this diversion other then applicant

- 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: N/A

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 land currently is being developed into a gravel pit and will no longer be used as crop land

- 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:
Brian and Shelly Tubbs have an existing domestic well they use as stock water, and will be using that system in conjunction with new well and transfered rights to allow for a combined total of 54 AF per year for stock water.

- 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:

N/A

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

Current Water Right No.: 47-17555

Current Owner: MATHERS RANCH INC

Priority Date: 11/6/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

2.99 CFS

2.99 CFS

Annual Volume

652.4 AF

652.4 AF

Location of Point(s) of Diversion

GROUND WATER

TWIN FALLS County

SW1/4NE1/4

Sec. 31, Twp 11S, Rge 18E B.M.

GROUND WATER

TWIN FALLS County

SW1/4NW1/4

Sec. 32, Twp 11S, Rge 18E B.M.

GROUND WATER

TWIN FALLS County

SW1/4SW1/4

Sec. 32, Twp 11S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	SWNE	3.00	T11S R18E S31	SENE	30.70
T11S R18E S31	SESW	1.90	T11S R18E S31	NESE	39.00
T11S R18E S31	NWSE	20.00	T11S R18E S31	SWSE	37.00
T11S R18E S31	SESE	31.50			

Total Acres: 163.1

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

Current Water Right No.: 47-17560

Current Owner: MATHERS RANCH INC
Priority Date: 8/8/1954
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

1.36 CFS

1.36 CFS

Annual Volume

596.4 AF

596.4 AF

Location of Point(s) of Diversion

GROUND WATER

TWIN FALLS County

SW1/4NW1/4

Sec. 32, Twp 11S, Rge 18E B.M.

GROUND WATER

TWIN FALLS County

SW1/4NE1/4

Sec. 31, Twp 11S, Rge 18E B.M.

GROUND WATER

TWIN FALLS County

SW1/4SW1/4

Sec. 32, Twp 11S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	SWNE	3.00	T11S R18E S31	SENE	30.70
T11S R18E S31	SESW	1.90	T11S R18E S31	NESE	39.00
T11S R18E S31	NWSE	20.00	T11S R18E S31	SWSE	37.00
T11S R18E S31	SESE	31.50			

Total Acres: 163.1

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

Current Water Right No.: 47-17565

Current Owner: MATHERS RANCH INC

Priority Date: 4/3/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

03/15 to 11/15

0.18 CFS

94.3 AF

Total Diversion

0.18 CFS

94.3 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4NE1/4

Sec. 31, Twp 11S, Rge 18E B.M.

TWIN FALLS County

GROUND WATER

SW1/4NW1/4

Sec. 32, Twp 11S, Rge 18E B.M.

TWIN FALLS County

GROUND WATER

SW1/4SW1/4

Sec. 32, Twp 11S, Rge 18E B.M.

TWIN FALLS County

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31

SWNE

3.00

T11S R18E S31

SENE

30.70

T11S R18E S31

SESW

1.90

T11S R18E S31

NESE

39.00

T11S R18E S31

NWSE

20.00

T11S R18E S31

SWSE

37.00

T11S R18E S31

SESE

31.50

Total Acres: 163.1

CONTRACT FOR SALE OF WATER RIGHTS

THIS AGREEMENT is made and entered into this 30th day of October 2020

By and between MATHERS RANCHES INC., herein after referred as seller, Stan Haye of SNAKE RIVER MANAGEMENT, INC., hereinafter referred to as their Brokerage Agent," and Brian & Michelle Tubbs husband and wife, herein after referred as Buyers

RECITALS

A. Seller owns water rights appurtenant to thirteen point two four acres of land or describe as follows

47-17555, 47-17560 and 47-17565 and desires to split 40 Acre Feet or approximately (13.3) acres of the water right from degreed water rights to sell

The water rights are presently appurtenant to Thirteen point three (13.3) acres of land located

In Twin Falls County, Idaho more particularly described as follows:

13.3 acres in the SESE and NESE SWSE Section 31 Township 11 South, Range 18 East of the Boise Meridian

B. Buyers own real property located in Twin Falls County, Idaho more particularly described as:

The W ½ SE ¼, and SE ¼, SE ¼, Section 1, Township 11 south range 15 east of the Boise Meridian, Twin Falls county Idaho

C. The parties wish to agree upon terms and conditions whereby Sellers will sell to buyers, and buyers will purchase from Seller that portion of the Seller's water rights and make them Appurtenant to real property of the Buyer more particularly described above.

Nature of use of the water is for commercial stock water, such water rights are described as in (see exhibit A)

IT IS THEREFORE AGREED, in consideration of these recitals and promises and

Covenants hereafter contained as follows

1. Seller agrees to sell the water rights described in recital Exhibit A above for the total purchase price of
ONE HUNDRED FORTY THOUSAND DOLLARS (\$140,000.00)
2. The parties acknowledge that this agreement is contingent upon the approval of the Transfer of the water rights to the Buyers in accordance with this agreement.

The transfer will be deemed complete upon the full approval of the transfer by the Idaho Department of Water Resources and the lapse of any protest or appeal period Allowed by law or if any protest or appeal of the final approval is timely filed upon, the final resolution of the appeal or protest upholding the validity of the transfer.

3. Within forty- five (45) days of this execution of this agreement the parties shall execute an

application, with the department of water Resources and all other necessary documents.

To initiate transfer of the water rights from Seller to Buyers in accordance with this agreement.

The parties shall fully cooperate to perform all actions and matters necessary to insure the approval of the application, including making appearances at any hearing or conference that may be required.

All costs fees and expenses incurred in the filing and processing of the application for

Transfer shall be borne exclusively by Snake River Management. However, any unforeseen legal

Or hydrology costs that are incurred do to appeal or demands by The Idaho department of Water Resource to the transfer source property is the responsibility of the Buyer.

If final approval of the transfer by the Idaho department of water Resources has not been provided by the

1st Day of January 2023 all protests and appeals resolved or barred by lapse of time

This Agreement shall be null and void.

4. Seller warrants to Buyers that:

(a) Seller has good title to the water rights and has the lawful authority to enter into this Agreement.

(b) The real property to which the water rights are now appurtenant is not encumbered by any mortgage, deed of trust or other lien, or that any mortgagee deed of

Trust beneficiary or other lien holder has consented in writing to the transfer of the Water rights free of their liens.

5. Buyer shall diligently pursue the application for the transfer of water rights in Order that the application will receive consideration in the quickest possible time.

6. Should either party be in default under this Agreement, the other party shall give

Notice by certified mail to the other of the nature of every claimed event of default at The address provided bellow.

If the default is not timely cured within (10) days of the receipt of the notice,

The party giving the notice may:

- (a) Pursue any other remedy to which that party may be entitled under the laws of the state of Idaho.

7. The day of closing shall be a regular business day not more than ten (10) days after the

Final approval of the water rights transfer applied for pursuant to this agreement by the

Idaho Department of Water Resource and the lapse of any time to file by lawful protest

Or appeal, closing shall occur at the office of Title One Title Company Twin Falls office (Megan Clapp) Escrow officer.

Any costs at closing shall be paid by Snake River Management.

8. The parties acknowledge that the terms, conditions and covenants of this agreement shall

Supersede any prior negotiations and agreements of the parties, that there is no other

Agreements not contained in this agreement and that this Agreement shall be the final

Expression of the agreement of the parties and shall control. No modifications of this

Agreement shall be valid unless writing and executed by all parties hereto. No amendment

Or modification of this Agreement shall be effective unless it is made in writing

Executed by all parties.

9. Seller has agreed to pay a commission to the Brokerage agent Stan Haye of Snake

River Management based on the sale price of the water rights. Due and payable upon the closing of this Agreement

Buyers are not obligated for the payment of any commission to Stan Haye, Snake River Management, Inc. without a separate written agreement to that effect.

10. The parties advised that they should seek the advice of legal counsel of their own choosing, prior to entering this agreement.

11. Buyer cannot assign their interest in this agreement to any third party

12. If default be made by either party hereto in keeping or performing any of the Convents, conditions or agreements conditions or agreements herin agreed to be kept by them, and the other party is required to employ an attorney to enforce any of the Convents, conditions or agreements herin contained, then and in such event, the party in Default agrees to pay, in addition to all other sumes herrin agreed to be paid by them a Reasonable attorneys fee together with any costs and disbursements that may be in cured in forcing this agreement.

13. The parties hereto acknowledge and agree that time is and shall be, the essence of Each, and every term and condition contained herein.

14. This agreement shall be binding upon and shall insure to the benifitof and be binding upon heirs, succsessors and assigns of the parties

IN WITNESS WHEREOF, the parties hereto have subscribed their names the day and year in this Agreement first above written.

SELLER
MATHERS RANCHES INC.


Doug Mathers President

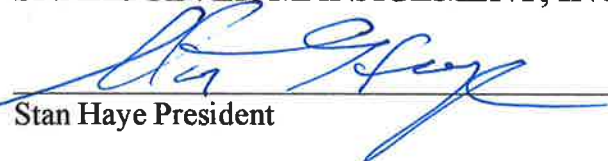

Lottie Mathers Secretary

BUYERS


Brian Tubbs


Michelle Tubbs

BROKERAGE AGENT
STAN HAYE
SNAKE RIVER MANAGEMENT, INC.


Stan Haye President

STATE OF IDAHO)

)SS.

County of Twin Falls)

On this 2nd day of November, 2020, before me, a Notary Public, in and for said County and State, personally appeared Brian & Michelle Tubbs that known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledge to me that executed the same

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



Stan V. Haye

NOTARY PUBLIC FOR IDAHO

Residing at: Ada County

My Commission expires: Aug 25, 2024

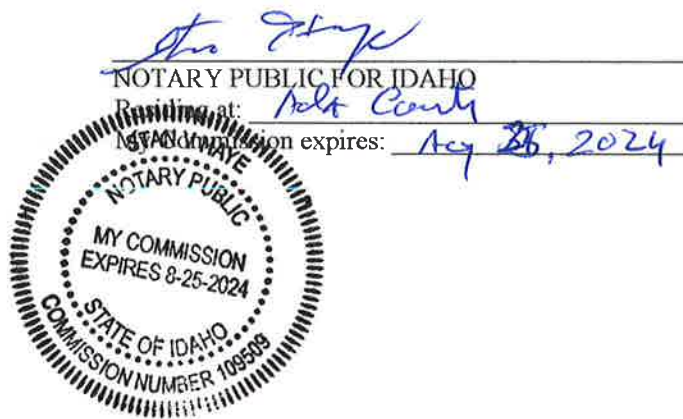
STATE OF IDAHO)

)SS.

County of Twin Falls)

On this 2nd day of November, 2020, before me, a Notary Public, in and for said County and State, personally appeared DOUG AND OR LOTTIE MATHERS, known or identified to me to be the PRESIDENT AND SECRETARY of the corporation that executed the instrument. On behalf of said corporation and acknowledge to me that such corporation executed the same

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



Stan V. Haye

NOTARY PUBLIC FOR IDAHO

Residing at: Ada County

My Commission expires: Aug 25, 2024

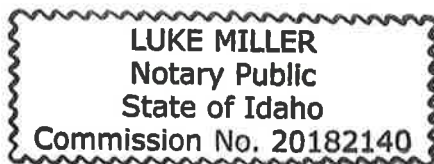
STATE OF IDAHO)

) SS.

County of Twin Falls)

On this 10th day of November, 2019, before me, a Notary Public, in and for said County and State, personally appeared STAN HAYE, known or identified to me to be the PRESIDENT of that corporation that executed the instrument. On behalf of said corporation and acknowledge to me that such corporation executed the same

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




NOTARY PUBLIC FOR IDAHO
Residing at: Eagle, IDAHO
My Commission expires: 10/29/2024

EXHIBIT A

Legal Description: For Water right owned by Mather's Ranches Inc.

See Water Right # 47-17555, 47-17560 and 47-17565 portions of land contained within the 13.24 acre SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31 and the Township 11 south range 18 east of the Boise Meridian, Twin Falls county Idaho

EXHIBIT B

Legal Description: For New place of diversion and use owned by Brian & Michelle Tubbs

(See Map) New point of Diversion: portions of land contained within the SW $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 1, Township 11 south range 15 east of the Boise Meridian, Twin Falls county Idaho

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Brian A. Tubbs and Michelle R. Tubbs , HUSBAND AND WIFE

whose address is: **P.O. Box 588, Gooding, ID 83330**

Hereinafter called the Grantee, the following described premises situated in **Twin Falls** County, Idaho, to-wit:

Township 11 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

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

TOGETHER WITH 251.65 SHARE OF SALMON RIVER CANAL COMPANY WATER STOCK.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: March 27, 2003

Estate of Blondina Ulrich

BY: Myron Ulrich Conservator
Myron Ulrich, Conservator

Wilbur Ulrich Testamentary Trust

BY: Myron Ulrich Trustee
Myron Ulrich, Trustee

STATE OF Idaho

ss.

COUNTY OF TWIN FALLS

On this 27TH day of March, 2003, before me Shawna A. Wageman, personally appeared Myron Ulrich, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument as Conservator of the Estate of Blondina Ulrich and acknowledged to me that he executed the same as such Conservator.

Shawna A. Wageman

Twin Falls County, Idaho

Recorded for:
FIRST AMERICAN TITLE CO.

03:43pm Mar. 27, 2003

2003 - 007689

No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CD

TRANSFER 84729

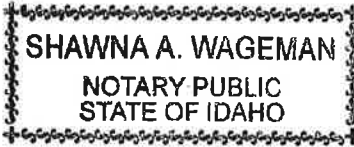
On this 27TH day of March, 2003, before me Shawna A. Wageman, personally appeared Myron Ulrich, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the Wilbur Ulrich Testamentary Trust and acknowledged to me that he executed the same as such Trustee.

Shawna A. Wageman

Notary Public of Idaho

Residing at: Jerome, Idaho

Commission Expires: 03/07/09





TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



February 4, 2021

RE: Regal Properties, LLC. & Mathers Ranch, Inc. Water Shares

To whom it may concern: Regale Properties, LLC being in
Section 31, Township 11, Range 18 has a total of 50.00 of Twin Falls
Canal Company Stock being in;
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 32.00 shares, the S $\frac{1}{2}$ of SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14.00 shares, and
E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.00 shares

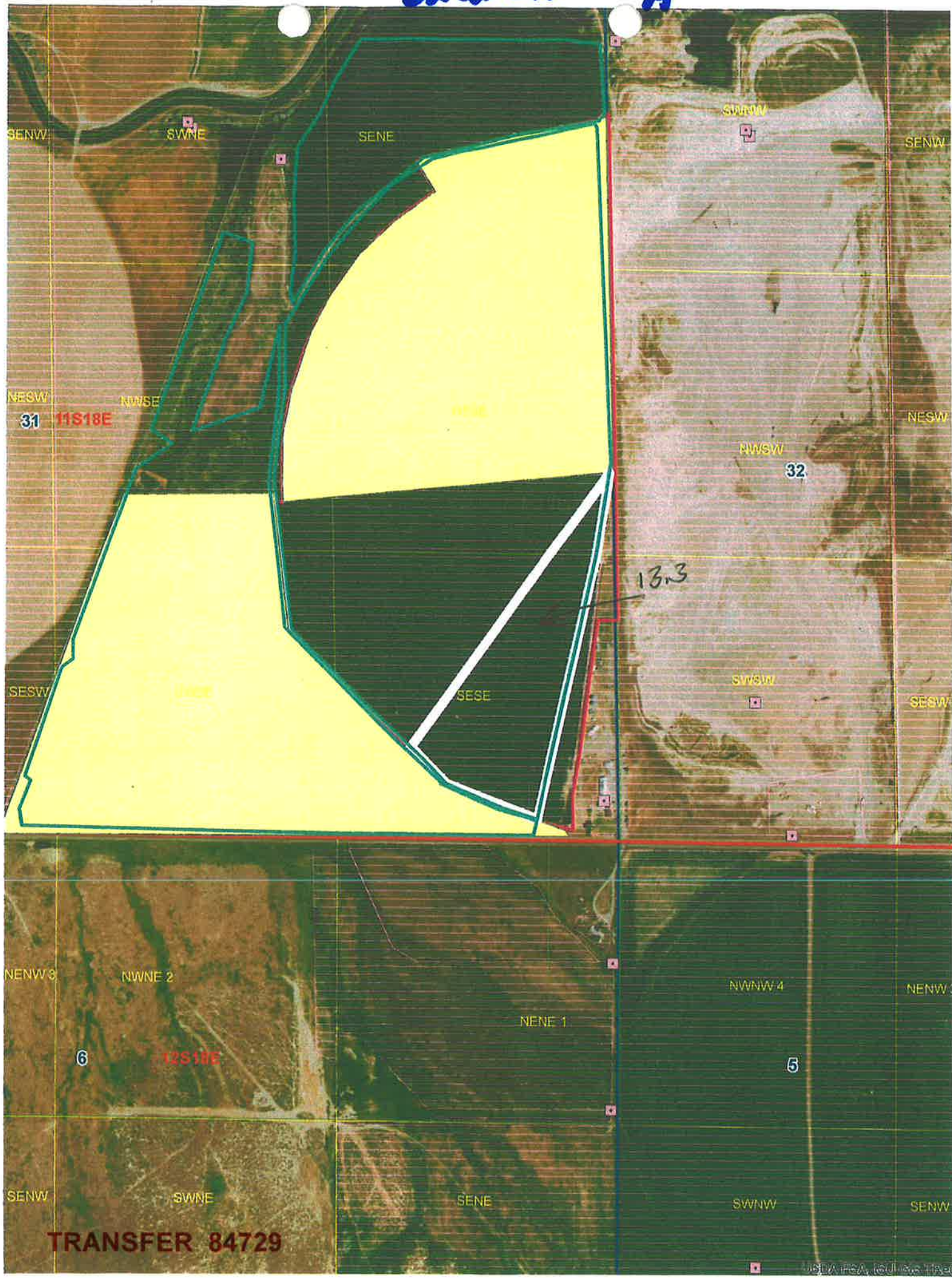
The only shares Mathers Ranch owns in Section 31, Township 11, Range 18
7.00 shares in the SW Corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$
36.00 shares in SW $\frac{1}{4}$ SE $\frac{1}{4}$
5.00 shares in S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
2.00 shares in SE corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$

Sincerely

Raynay Shetler
Water Rights Specialist

TRANSFER 84729

Exhibit A



TRANSFER 84729

USDA FSA, RUS, NRECA

Brian & Michelle Tubs

Cattle Operation

Legend

- 3400 N 2100 E
- Existing Well Point of Diversion
- New Well Point of Diversion
- 120 Acre Ranch Tubs Ownership
- POU Place of use Stock Water Tanks
- POU Stock water tanks NW 1/4 of the SE 1/4 SEC 1
- POU Stock water Tanks SW SE SEC 1
- Township 11 South Range 15 East Section 1

Exhibit B

POU Stock water tanks NW 1/4 of the SE 1/4 SEC 1

Township 11 South Range 15 East Section 1

POU Stock water Tanks SW SE SEC 1

POU Place of use Stock Water Tanks

NEW WELL

Existing well

3400 N 2100 E

E 3400 N



1000 ft

Google Earth

© 2021 Google

TRANSFER 84729

Livestock Confinement Operations

Water Requirements

Brockway Engineering, PLLC

The information, data, or computational procedures herein may not be duplicated without the express written consent of Brockway Engineering.

COMPLETE BLUE HIGHLIGHTED SECTIONS ONLY

Prepared for: Brian Tubbs
Shelly Tubbs

Remarks: This proposed change will increase the number of animal at this facility from 1000 to 3500.

Herd Information - User Input

	Current	Additional
Stock and Commercial Water Rights		
Number of milking cows	0	0
Number of dry cows	0	0
Number of other adult dry animals	0	0
Number of Animal Units	634	1,585
Number of Animals	1,000	2,500

1 Animal Unit = 1000 lbs

Calves at age:		
1 month		
2 month		
3 month		
4 month		
5 month	100	250
6 month	100	250
7 month	100	250
8 month	100	250
9 month	100	250
10 month	100	250
11 month	100	250
12 month	100	250
13 month	100	250
14 month	100	250
15 month		
16 month		
17 month		
18 month		
Total	3,500	

lbs/animal	lbs	lbs
90	0	0
152	0	0
214	0	0
276	0	0
338	33,800	84,500
400	40,000	100,000
467	46,667	116,667
533	53,333	133,333
600	60,000	150,000
667	66,667	166,667
733	73,333	183,333
800	80,000	200,000
867	86,667	216,667
933	93,333	233,333
1,000	0	0
1,067	0	0
1,133	0	0
1,200	0	0
Total	633,800	1,584,500 lbs
Total	2,218,300	lbs

Commercial Component

Waste Milk per day
Milk Concentrate per day

Milk Carts
Estimated gal per washing
Washings per day

Dust Control
Application Rate 20 gpm
Duration 2 hours per day
How Many Months/Year 5 months

General Washing and Cleaning
Application Rate 5 gpm
Duration 12 hours per day

Stockwater Component

Drinking Water Calculation for Replacement Herd (Calves, Heifers, Beef Cows)

Age	consumption	lbs/animal	GPD	Ac-Ft/year
1 month	1.7 gal/day	90	0	0.00
2 month	2.4 gal/day	152	0	0.00
3 month	3.2 gal/day	214	0	0.00
4 month	4.0 gal/day	276	0	0.00
5 month	4.8 gal/day	338	1677	1.88
6 month	5.6 gal/day	400	1952	2.19
7 month	6.4 gal/day	467	2227	2.49
8 month	7.1 gal/day	533	2501	2.80
9 month	7.9 gal/day	600	2776	3.11
10 month	8.7 gal/day	667	3051	3.42
11 month	9.5 gal/day	733	3326	3.73
12 month	10.3 gal/day	800	3601	4.03
13 month	11.1 gal/day	867	3876	4.34
14 month	11.9 gal/day	933	4151	4.65
15 month	12.6 gal/day	1,000	0	0.00
16 month	13.4 gal/day	1,067	0	0.00
17 month	14.2 gal/day	1,133	0	0.00
18 month	15.0 gal/day	1,200	0	0.00

Drinking water requirement for replacement herd	29138	gpd	32.64	ac-ft/year
Waste Milk	0	gpd	0.00	ac-ft/year
Milk Concentrate	0	gpd	0.00	ac-ft/year
TOTAL STOCKWATER COMPONENT			32.64	AC-FT/YEAR

Commercial Component

Milk Cart Washings		0 gal/day 0.0 ac-ft/year
Dust Control	Duration	20 gpm 2 hour per day 2400 gal/day 5 months 1.1 ac-ft/year
General Washing and Cleaning	Duration	20 gpm 2 hour per day 2400 gal/day 2.7 ac-ft/year

TOTAL COMMERCIAL COMPONENT	3.81	ac-ft/year
-----------------------------------	-------------	-------------------

Summary

Drinking Water

Replacement herd (calves and heifers)	32.6 ac-ft/year
Total drinking water volume	32.6 ac-ft/year

Commercial

Waste Milk-Drinking water offset	0.00 ac-ft/year
Milk Concentrate-Drinking water offset	0.00 ac-ft/year
Milk Cart Washing	0.00 ac-ft/year
Dust Control	1.12 ac-ft/year
General Washing and Cleaning	2.69 ac-ft/year
Total commercial volume	3.8 ac-ft/year

Total Volume Needed to Transfer

36.4 AC-FT/YR

Total Animals At Facility After Changes

3,500 Animals

Total Animals Units At Facility After Changes

2,218 Animal Units

Total Stock and Commercial Water At The Facility After Transfer Approval

36.4 AC-FT/YR

Stock Water for confined feeding operations

Beef Cattle

Animal Age	Cattle Weight	consumption	Head	GPD	GPD Total	AC FT PER YEAR
1 month	90	1.7gal/day		0	1.7	0
2 month	152	2.4gal/day		0	2.4	0
3 month	214	3.2gal/day		0	3.2	0
4 month	276	4gal/day		0	4	0
5 month	338	4.8gal/day		0	4.8	0
6 month	400	5.6gal/day		0	5.6	0
7 month	467	6.4gal/day	250	6.4	1600	1.7922357
8 month	533	7.1gal/day	250	7.1	1775	1.9882615
9 month	600	7.9gal/day	500	7.9	3950	4.4245819
10 month	667	8.7gal/day	500	8.7	4350	4.8726408
11 month	733	9.5gal/day	500	9.5	4750	5.3206997
12 month	800	10.3gal/day	500	10.3	5150	5.7687586
13 month	867	11.1gal/day	500	11.1	5550	6.2168176
14 month	933	11.9gal/day	500	11.9	5950	6.6648765
15 month	1000	12.6gal/day		12.6	0	0
16 month	1067	13.4gal/day		13.4	0	0
17 month	1133	14.2gal/day		14.2	0	0
18 month	1200	15gal/day		15	0	0
			3500		33075	37.048872

Total Drinking Water Consumption

37AF

Total Other Water usage

Dust Control & General Cleaning

3AF

Total

40AF

Twin Falls County, Idaho



Common Land Unit

	Non-Cropland		Tract Boundary
	Cropland		PLSS
			County Boundary

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

TRANSFER 84729

2020 Program Year
Map Created December 10, 2019

Farm 5965
Tract 34462

Twin Falls, Idaho

FSA - 578 (09-13-16)

Farm Number: 7592

Operator Name and Address

MATHERS RANCH INC

3485 E 3100 N

KIMBERLY, ID 83341-5251

REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2021

DATE: 02/08/2021

PAGE: 1

Original: EEZ

Revision: _____

Cropland: 28.30

Farmland: 33.89

Tract Number	CLU/ Field	Crop/ Commodity	Var/ Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/ Measured	Planting Date	Planting Period	End Date
34690	4	GRASS	ORG	GZ		I	C	N	I	A	3.92		No		N	4/1/1920	01	CC
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 08/31/2016		
	5	GRASS	ORG	GZ		I	C	N	I	A	14.80		Yes		N	4/1/1920	01	CC
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 08/31/2016		
	11	ALFAL		FG		I	C	N	I	A	13.50		Yes		N	8/1/2016	01	2024
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 12/30/2020		

Tract 34690 Summary

PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01	GRASS	ORG	GZ	I	A	18.72	01	ALFAL		FG	I	A	13.50							

Photo Number/Legal Description:

Cropland: 28.30

Reported on Cropland: 28.30

Difference: 0.00

Reported on Non-Cropland: 3.92

FSA - 578 (09-13-16)

Farm Number: 7592

Operator Name and Address

MATHERS RANCH INC

3485 E 3100 N

KIMBERLY, ID 83341-5251

REPORT OF COMMODITIES

FARM SUMMARY

PROGRAM YEAR: 2021

DATE: 02/08/2021

PAGE: 2

Original: EEZ

Revision: _____

Cropland: 28.30 /

Farmland: 33.89

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is 7 CFR Part 718, the Farm Security and Rural Investment Act of 2002 (Pub L. 107-171), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to collect producer certification of the report of acreage of crops/commodities and land use data which is needed in order to determine producer eligibility to participate in and receive benefits under FSA programs. The information collected on the form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated) and USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information may result in a denial of the producer's request to participate in and receive benefits under FSA programs. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0175. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

MATHERS RANCH INC						Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share
						ALFAL		100.00	GRASS	ORG	100.00						
Planting Period	Crop/ Commodity	Variety/ Type	Intended Use	Irrigation Practice	Reporting Unit	Reported Quantity	Determined Quantity	Planting Period	Crop/ Commodity	Variety/ Type	Intended Use	Irrigation Practice	Reporting Unit	Reported Quantity	Determined Quantity		
01	GRASS	ORG	GZ	I	A	18.72		01	ALFAL		FG	I	A	13.50			

CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops/commodities and land uses listed herein are true and correct and that all required crops/commodities and land uses have been reported for the farm as applicable. Absent any different or contrary prior subsequent certification filed by any producer for any crop for which NAP coverage has been purchased, I certify that the applicable crop, type, practice, and intended use is not planted if it is not included on the Report of Commodities for this crop year. The signing of this form gives FSA representatives authorization to enter and inspect crops/commodities and land uses on the above identified land. A signature date (the date the producer signs the FSA-578) will also be captured.

Operator's Signature (By)

Date

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

Twin Falls, Idaho

FSA - 578 (09-13-16)

Farm Number: 4243

Operator Name and Address

MATHERS RANCH INC

3485 E 3100 N

KIMBERLY, ID 83341-5251

REPORT OF COMMODITIES FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2019

DATE: 02/08/2021

PAGE: 1

Original: JEP

Revision: _____

Cropland: 63.86

Farmland: 73.49

Tract Number	CLU/Field	Crop/Commodity	Var/Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
2828	1	ALFAL		FG		I	C	N	I	A	27.14	27.14	Yes		O	8/1/2016	01	2021
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho									NAP Unit 1170	Signature Date 11/26/2019	
	2	ALFAL		FG		I	C	N	I	A	21.92	21.92	Yes		O	5/30/2016	01	2021
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho									NAP Unit 1170	Signature Date 11/26/2019	
	4	GRASS	ORG	GZ		I	C	N	I	A	3.92		No		N	4/1/1920	01	CC
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho									NAP Unit 1170	Signature Date 08/31/2016	
	5	GRASS	ORG	GZ		I	C	N	I	A	14.80		Yes		N	4/1/1920	01	CC
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho									NAP Unit 1170	Signature Date 08/31/2016	

Tract 2828 Summary

PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01	GRASS	ORG	GZ	I	A	18.72	01	ALFAL		FG	I	A	49.06							

Photo Number/Legal Description: 33-11-18

Cropland: 63.86

Reported on Cropland: 63.86

Difference: 0.00

Reported on Non-Cropland: 3.92

Twin Falls, Idaho

FSA - 578 (09-13-16)

Farm Number: 4243

Operator Name and Address

MATHERS RANCH INC

3485 E 3100 N

KIMBERLY, ID 83341-5251

REPORT OF COMMODITIES

FARM SUMMARY

PROGRAM YEAR: 2019

DATE: 02/08/2021

PAGE: 2

Original: JEP

Revision: _____

Cropland: 63.86

Farmland: 73.49

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MATHERS RANCH INC						Share	Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share
ALFAL						100.00	GRASS	ORG	100.00						
Planting Period	Crop/ Commodity	Variety/ Type	Intended Use	Irrigation Practice	Reporting Unit	Reported Quantity	Determined Quantity	Planting Period	Crop/ Commodity	Variety/ Type	Intended Use	Irrigation Practice	Reporting Unit	Reported Quantity	Determined Quantity
01	GRASS	ORG	GZ	I	A	18.72		01	ALFAL		FG	I	A	49.06	49.06

CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops/commodities and land uses listed herein are true and correct and that all required crops/commodities and land uses have been reported for the farm as applicable. Absent any different or contrary prior subsequent certification filed by any producer for any crop for which NAP coverage has been purchased, I certify that the applicable crop, type, practice, and intended use is not planted if it is not included on the Report of Commodities for this crop year. The signing of this form gives FSA representatives authorization to enter and inspect crops/commodities and land uses on the above identified land. A signature date (the date the producer signs the FSA-578) will also be captured.

Operator's Signature (By)

Date

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Twin Falls, Idaho

FSA - 578 (09-13-16)

Farm Number: 7592

Operator Name and Address

MATHERS RANCH INC

3485 E 3100 N

KIMBERLY, ID 83341-5251

REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2020

DATE: 02/08/2021

PAGE: 1

Original: EEZ

Revision: _____

Cropland: 28.30

Farmland: 33.89

Tract Number	CLU/Field	Crop/Commodity	Var/Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
34690	4	GRASS	ORG	GZ		I	C	N	I	A	3.92		No		N	4/1/1920	01	CC
		Producer MATHERS RANCH INC			Share 100.00		FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 08/31/2016		
	5	GRASS	ORG	GZ		I	C	N	I	A	14.80		Yes		N	4/1/1920	01	CC
		Producer MATHERS RANCH INC			Share 100.00		FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 08/31/2016		
	11	ALFAL		FG		I	C	N	I	A	13.50		Yes		N	8/1/2016	01	2024
		Producer MATHERS RANCH INC			Share 100.00		FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		

Tract 34690 Summary

PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01	GRASS	ORG	GZ	I	A	18.72	01	ALFAL		FG	I	A	13.50							

Photo Number/Legal Description:

Cropland: 28.30

Reported on Cropland: 28.30

Difference: 0.00

Reported on Non-Cropland: 3.92

FSA - 578 (09-13-16)

Farm Number: 7592

Operator Name and Address

MATHERS RANCH INC

3485 E 3100 N

KIMBERLY, ID 83341-5251

REPORT OF COMMODITIES

FARM SUMMARY

PROGRAM YEAR: 2020

DATE: 02/18/2021

PAGE: 2

Original: EEZ

Revision: _____

Cropland: 38.30

Farmland: 33.89

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is 7 CFR Part 718, the Farm Security and Rural Investment Act of 2002 (Pub L. 107-171), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to collect producer certification of the report of acreage of crops/commodities and land use data which is needed in order to determine producer eligibility to participate in and receive benefits under FSA programs. The information collected on the form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated) and USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information may result in a denial of the producer's request to participate in and receive benefits under FSA programs. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0175. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

MATHERS RANCH INC								MATHERS RANCH INC							
Planting Period	Crop/Commodity	Variety/Type	Intended Use	Irrigation Practice	Reporting Unit	Reported Quantity	Determined Quantity	Planting Period	Crop/Commodity	Variety/Type	Intended Use	Irrigation Practice	Reporting Unit	Reported Quantity	Determined Quantity
01	GRASS	ORG	GZ	I	A	18.72		01	ALFAL		FG	I	A	13.50	

CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops/commodities and land uses listed herein are true and correct and that all required crops/commodities and land uses have been reported for the farm as applicable. Absent any different or contrary prior subsequent certification filed by any producer for any crop for which NAP coverage has been purchased, I certify that the applicable crop, type, practice, and intended use is not planted if it is not included on the Report of Commodities for this crop year. The signing of this form gives FSA representatives authorization to enter and inspect crops/commodities and land uses on the above identified land. A signature date (the date the producer signs the FSA-578) will also be captured.

Operator's Signature (By)

Date

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs; Remedies and complaint filing deadlines vary by program or incident). Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, DC 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

FSA - 578 (09-13-16)

Farm Number: 5965

Operator Name and Address

MATHERS RANCH INC

485 E 3100 N

JIMBERLY, ID 83341-5251

REPORT OF COMMODITIES

PROGRAM YEAR: 2020

FARM AND TRACT DETAIL LISTING

DATE: 02/09/2021

PAGE: 1

Original: JEP

Revision: _____

Cropland: 336.73

Farmland: 527.25

Tract Number	CLU/Field	Crop/Commodity	Var/Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
32630	1	ALFAL		FG		I	C	N	I	A	62.84		Yes		N	9/10/2019	01	2025
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		
	2	MIXFG	AGM	FG		I	C	N	I	A	2.77		Yes		N	8/1/1980	01	
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		
	3	WHEAT	SWW	GR		I	C	N	I	A	57.61		Yes	MLT	N	3/4/2020	01	
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 03/06/2020		
	4	MIXFG	AGM	FG		I	C	N	I	A	2.99		Yes		N	8/1/1980	01	2027
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		
	5	MIXFG	AGM	FG		I	C	N	I	A	0.93		Yes		N	8/1/1980	01	2027
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		
	6	MIXFG	AGM	FG		I	C	N	I	A	20.46		Yes		N	8/31/2013	01	
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		
	8	GRASS	NAG	GZ		N	C	N	I	A	52.11		No		N		21	
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 08/31/2016		

Tract 32630 Summary

PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01 MIXFG	AGM	FG	I	A	27.15	01 ALFAL		FG	I	A	62.84	21 GRASS	NAG	GZ	N	A	52.11
01 WHEAT	SWW	GR	I	A	57.61												

Photo Number/Legal Description: 29-11-18

Cropland: 147.60

Reported on Cropland: 147.60

Difference: 0.00

Reported on Non-Cropland: 52.11

34461	1	IDLE				N	C	N	I	N	A	21.94	Yes		N		01	2027
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		
	2	MIXFG	AGM	FG		N	C	N	I	A	23.29	Yes			N	9/1/2015	01	2027
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		
	3	ALFAL		FG		I	C	N	I	A	3.03	Yes			N	8/15/2014	01	
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		
	4	MIXFG	AGM	FG		I	C	N	I	A	5.53	Yes			N	4/15/2011	01	
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		
	5	ALFAL		FG		I	C	N	I	A	44.55	Yes			N	9/15/2012	01	
		Producer MATHERS RANCH INC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 1170	Signature Date 11/26/2019		

REPORT OF COMMODITIES

PROGRAM YEAR: 2020

SA - 578 (09-13-16)

FARM AND TRACT DETAIL LISTING

DATE: 02/09/2021

Farm Number: 5965

PAGE: 2

Tract Number	CLU/Field	Crop/Commodity	Var/Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
34461	6	MIXFG	AGM	FG		I	C	N	I	A	2.26		Yes		N	9/15/2011	01	
		Producer MATHERS RANCH INC				Share 100.00		FSA Physical Location Twin Falls, Idaho								NAP Unit 1170		Signature Date 11/26/2019
	9	MIXFG	AGM	FG		N	C	N	I	A	1.45		No		N	4/15/2011	01	
		Producer MATHERS RANCH INC				Share 100.00		FSA Physical Location Twin Falls, Idaho								NAP Unit 1170		Signature Date 11/26/2019

Tract 34461 Summary

PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01	MIXFG	AGM	FG	I	A	7.79	01	ALFAL		FG	I	A	47.58	01	MIXFG	AGM	FG	N	A	24.74
01	IDLE			N	A	21.94														

Photo Number/Legal Description: 31,32-11-18

Cropland: 100.60

Reported on Cropland: 100.60

Difference: 0.00

Reported on Non-Cropland: 1.45

34462	3	ALFAL		FG		I	C	N	I	A	88.53		Yes		N	8/15/2014	01	
		Producer MATHERS RANCH INC				Share 100.00		FSA Physical Location Twin Falls, Idaho								NAP Unit 1170		Signature Date 11/26/2019

Tract 34462 Summary

PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01	ALFAL		FG	I	A	88.53														

Photo Number/Legal Description: 31-11-18

Cropland: 88.53

Reported on Cropland: 88.53

Difference: 0.00

Reported on Non-Cropland: 0.00

REPORT OF COMMODITIES

FARM SUMMARY

PROGRAM YEAR: 2020

FSA - 578 (09-13-16)

Farm Number: 5965

DATE: 02/09/2021

PAGE: 3

Operator Name and Address

MATHERS RANCH INC

485 E 3100 N

JIMBERLY, ID 83341-5251

Original: JEP

Revision: _____

Cropland: 336.73

Farmland: 527.25

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is 7 CFR Part 718, the Farm Security and Rural Investment Act of 2002 (Pub L. 107-171), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to collect producer certification of the report of acreage of crops/commodities and land use data which is needed in order to determine producer eligibility to participate in and receive benefits under FSA programs. The information collected on the form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated) and USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information may result in a denial of the producer's request to participate in and receive benefits under FSA programs. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0175. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

MATHERS RANCH INC						Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share
						IDLE		100.00	MIXFG	AGM	100.00	ALFAL		100.00	GRASS	NAG	100.00
						WHEAT	SWW	100.00									
Planting Period	Crop/ Commodity	Variety/ Type	Int Use	Irr Prac	Reporting Unit	Rpt Exp	Det Exp	Rpt Pvt	Det Pvt	Rpt Vol	Det Vol	Rpt NA	Det NA				
01	IDLE			N	A								21.94				
Planting Period	Crop/ Commodity	Variety/ Type	Intended Use	Irrigation Practice	Reporting Unit	Reported Quantity	Determined Quantity	Planting Period	Crop/ Commodity	Variety/ Type	Intended Use	Irrigation Practice	Reporting Unit	Reported Quantity	Determined Quantity		
21	GRASS	NAG	GZ	N	A	52.11		01	WHEAT	SWW	GR	I	A	57.61			
01	MIXFG	AGM	FG	N	A	24.74		01	ALFAL		FG	I	A	198.95			
01	MIXFG	AGM	FG	I	A	34.94											

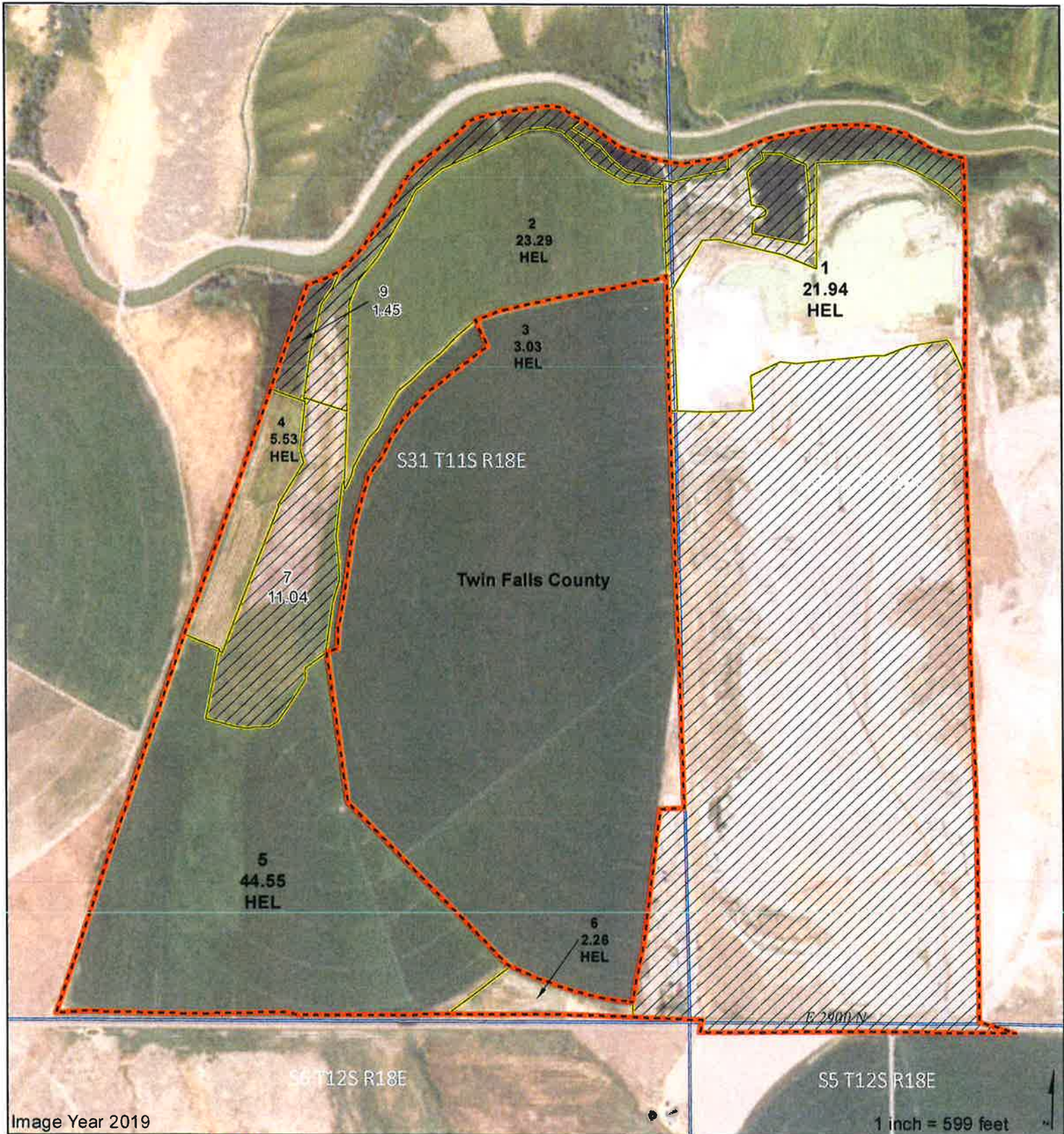
CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops/commodities and land uses listed herein are true and correct and that all required crops/commodities and land uses have been reported for the farm as applicable. Absent any different or contrary prior subsequent certification filed by any producer for any crop for which NAP coverage has been purchased, I certify that the applicable crop, type, practice, and intended use is not planted if it is not included on the Report of Commodities for this crop year. The signing of this form gives FSA representatives authorization to enter and inspect crops/commodities and land uses on the above identified land. A signature date (the date the producer signs the FSA-578) will also be captured.

Operator's Signature (By)

Date

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Twin Falls County, Idaho



Common Land Unit

- Non-Cropland
- Cropland
- Tract Boundary
- PLSS
- County Boundary

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

TRANSFER 84729

2020 Program Year
Map Created December 10, 2019

Farm 5965
Tract 34461

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 112407

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

241.80

City St Zip

TWIN FALLS ID 83301

Amount Paid

0.00

Phone

2087363033

Amount Due

241.80

Fax

Section

Legals

Start/End Dates

03/18/2021 - 03/25/2021

SubSection

Insertions

2

Category

50 Legal

Size

160

Ad Key

112407-1

Salesperson(s)

Jenny Green - Legals

Keywords

CHANGE OF WATER RIGHT

Taken By

Jenny Green

Notes

Ad Proof

✓ dm 3/12/2021

Proof of legal notice received
from Times News 3/12/2021

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 112407

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84662

✓ HIGLEY LAND INVESTMENTS LLC, PO BOX 25, MALTA, ID 83342-0025 has filed Application No. 84662 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893, 43-13894. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to move ground water irrigation right 43-13773 from its present place of use (POU), located approximately 0.3 mile east and 3.1 miles south of Malta, to a nearby farm owned by the applicants, located approximately 2.8 to 3.3 miles east and 4.3 to 6.5 miles south of Malta, and modify the POU of the destination farm. The transfer will also drop one authorized point of diversion (POD) from each of the six existing rights at that farm and add the four remaining PODs to the right moving in. After the transfer, seven ground water irrigation rights will irrigate 628.6 acres with a combined flow rate of 11.52 cfs.

TRANSFER NO. 84729

✓ BRIAN TUBBS and MICHELLE TUBBS, 2086 E 3400 N, FILER, ID 83328-5646 has filed Application No. 84729 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 13.3 acre portion (0.24 cfs) of three ground water rights from a farm located approximately 7.25 to 8.0 miles south and 0.75 to 1.5 miles west of the center of Kimberly for stockwater and commercial use for expansion of an existing CAFO located approximately 4.5 to 5.0 miles south and 3.0 to 3.5 miles west of the US Hwy 93 & Hwy 30 interchange east of Filer. The transferred water will be diverted from a new well to be drilled and the existing well at the CAFO site.

TRANSFER NO. 84735

✓ PATTCO LLLP, 1800 Z ST, HEYBURN, ID 83336 has filed Application No. 84735 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to combine two groups of ground water irrigation rights (a group of three rights for 2.87 cfs & 305 acres and a group of two rights for 1.2cfs & 133 acres) into a single 447 acre permissible place of use (PPU). Transfer will also add the point of diversion (POD) from each group to the other group so all five water rights will have the same two PODs, allowing for the total diversion of 4.07 cfs and the irrigation of 438 acres within the proposed PPU. The two PODs and PPU are on a farm located approximately 5.7 miles west and 1.9 miles south of the Highway 30 & Overland Avenue intersection in Burley.

TRANSFER NO. 84764

✓ VALLEY VIEW DAIRY LLC, 369 N 1250 W, PAUL, ID 83347 has filed Application No. 84764 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-17012, 36-17013, 36-2257. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 7.7 acre (0.13 cfs) portion of an irrigation groundwater right to stock water and commercial use for the expansion of an existing heifer and calf facility located approximately 6.4 miles west and 4.9 miles north of the center of Paul. The irrigation right to be converted is currently authorized to be diverted from two irrigation wells both located within 0.75 miles of the facility. The application also proposes changing the place of use of two stock water and commercial groundwater rights (totaling 0.14 cfs) used at the facility to reflect the expansion. The converted right and the two commercial and stock water rights will divert up to 0.27 cfs and 46 acre-feet per year from an existing well on the facility.

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/Query-NewTransfers. 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 April 5, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on March 18th & 25th, 2021

✓ DM 3/12/2021



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

March 12, 2021

BRIAN TUBBS
MICHELLE TUBBS
2086 E 3400 N
FILER, ID 83328-5646

RE: Transfer No. 84729
Water Right No(s). 47-17555, 47-17560, 47-17565

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 3/18/2021 and 3/25/2021**. 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 **April 5, 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: Stan Haye III, Snake River Management Inc.

Maline, Denise

From: Maline, Denise
Sent: Friday, March 12, 2021 4:40 PM
To: Maline, Denise
Subject: FW: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on March 18th & 25th, 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, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(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

March 12, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84662

Water Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893,
43-13894

RE: Transfer No. 84729

Water Right No(s). 47-17555, 47-17560, 47-17565

RE: Transfer No. 84735

Water Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261

RE: Transfer No. 84764

Water Right No(s). 36-17012, 36-17013, 36-2257

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 **April 5, 2021**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84662**

HIGLEY LAND INVESTMENTS LLC, PO BOX 25, MALTA, ID 83342-0025 has filed Application No. 84662 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893, 43-13894. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to move ground water irrigation right 43-13773 from its present place of use (POU), located approximately 0.3 mile east and 3.1 miles south of Malta, to a nearby farm owned by the applicants, located approximately 2.8 to 3.3 miles east and 4.3 to 6.5 miles south of Malta, and modify the POU of the destination farm. The transfer will also drop one authorized point of diversion (POD) from each of the six existing rights at that farm and add the four remaining PODs to the right moving in. After the transfer, seven ground water irrigation rights will irrigate 628.6 acres with a combined flow rate of 11.52 cfs.

TRANSFER NO. 84729

BRIAN TUBBS and MICHELLE TUBBS, 2086 E 3400 N, FILER, ID 83328-5646 has filed Application No. 84729 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 13.3 acre portion (0.24 cfs) of three ground water rights from a farm located approximately 7.25 to 8.0 miles south and 0.75 to 1.5 miles west of the center of Kimberly for stockwater and commercial use for expansion of an existing CAFO located approximately 4.5 to 5.0 miles south and 3.0 to 3.5 miles west of the US Hwy 93 & Hwy 30 interchange east of Filer. The transferred water will be diverted from a new well to be drilled and the existing well at the CAFO site.

TRANSFER NO. 84735

PATTCO LLLP, 1800 Z ST, HEYBURN, ID 83336 has filed Application No. 84735 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to combine two groups of ground water irrigation rights (a group of three rights for 2.87 cfs & 305 acres and a group of two rights for 1.2cfs & 133 acres) into a single 447 acre permissible place of use (PPU). Transfer will also add the point of diversion (POD) from each group to the other group so all five water rights will have the same two PODs, allowing for the total diversion of 4.07 cfs and the irrigation of 438 acres within the proposed PPU. The two PODs and PPU are on a farm located approximately 5.7 miles west and 1.9 miles south of the Highway 30 & Overland Avenue intersection in Burley.

TRANSFER NO. 84764

VALLEY VIEW DAIRY LLC, 369 N 1250 W, PAUL, ID 83347 has filed Application No. 84764 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-17012, 36-17013, 36-2257. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 7.7 acre (0.13 cfs) portion of an irrigation groundwater right to stock water and commercial use for the expansion of an existing heifer and calf facility located approximately 6.4 miles west and 4.9 miles north of the center of Paul. The irrigation right to be converted is currently authorized to be diverted from two irrigation wells both located within 0.75 miles of the facility. The application also proposes changing the place of use of two stock water and commercial groundwater rights (totaling 0.14 cfs) used at the facility to reflect the expansion. The converted right and the two commercial and stock water rights will divert up to 0.27 cfs and 46 acre-feet per year from an existing well on the facility.

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 **April 5, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 18th & 25th, 2021

MEMORANDUM

TO: Transfer 84729 File

FROM: Benny Walker

DATE: March 2, 2021

SUBJECT: Filing Fee

The filing fee of, \$750.00, for this transfer is based on the amount of water proposed to be transferred or changed, 0.24 cfs. The transfer fee schedule for a transfer involving 0.21-1.00 cfs indicates that the filing fee is \$500.00. The transfer also required an additional fee of \$250.00, the application included a change in nature of use, for a combined total of \$750.00. The applicants' representative submitted a fee of \$750.00 for this transfer. (Receipt S038394).

MEMORANDUM

Date: March 2, 2021
To: Transfer 84729 File
From: Benny Walker
Re: Transfer Synopsis

Application proposes transferring a 13.3 acre portion (0.24 cfs) of three ground water rights from a farm located approximately 7.25 to 8.0 miles south and 0.75 to 1.5 miles west of the center of Kimberly for stockwater and commercial use for expansion of an existing CAFO located approximately 4.5 to 5.0 miles south and 3.0 to 3.5 miles west of the US Hwy 93/30 interchange east of Filer. The transferred water will be diverted from a new well to be drilled and the existing well at the CAFO site.

The application will be subject to notice and protest.

MEMORANDUM

TO: Transfer 84729 File

FROM: Benny Walker

DATE: March 2, 2021

SUBJECT: Filing Fee

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MEMORANDUM

Date: March 2, 2021
To: Transfer 84729 File
From: Benny Walker
Re: Transfer Synopsis/Legal

Application proposes transferring a 13.3 acre portion (0.24 cfs) of three ground water rights from a farm located approximately 7.25 to 8.0 miles south and 0.75 to 1.5 miles west of the center of Kimberly for stockwater and commercial use for expansion of an existing CAFO located approximately 4.5 to 5.0 miles south and 3.0 to 3.5 miles west of the US Hwy 93/30 interchange east of Filer. The transferred water will be diverted from a new well to be drilled and the existing well at the CAFO site.

The application will be subject to notice and protest.

Walker, Benny

From: Haye, Stanley - NRCS-CD, Caldwell, ID <Stan.Haye@id.nacdnet.net>
Sent: Thursday, February 25, 2021 5:51 PM
To: Walker, Benny
Subject: RE: [External Email]Tubbs Transfer 84729

Yes all in the same quarter ,quarters. Thanks Benny ! Stan

From: Walker, Benny <Benny.Walker@idwr.idaho.gov>
Sent: Thursday, February 25, 2021 4:52 PM
To: Haye, Stanley - NRCS-CD, Caldwell, ID <Stan.Haye@id.nacdnet.net>
Subject: RE: [External Email]Tubbs Transfer 84729

Stan,

Will the commercial use be in the same quarter, quarters and the stockwater?
Benny

From: Haye, Stanley - NRCS-CD, Caldwell, ID [<mailto:Stan.Haye@id.nacdnet.net>]
Sent: Wednesday, February 24, 2021 7:36 AM
To: Walker, Benny <Benny.Walker@idwr.idaho.gov>
Cc: Stan Haye <stan@sbardbranch.net>
Subject: RE: [External Email]Tubbs Transfer 84729

Benny,

Thank you Yes we want to apply for both Stock water & Commercial use with this application, they will be using some water for dust control and cleaning purposes. Stan

From: Walker, Benny <Benny.Walker@idwr.idaho.gov>
Sent: Tuesday, February 23, 2021 11:56 AM
To: Haye, Stanley - NRCS-CD, Caldwell, ID <Stan.Haye@id.nacdnet.net>
Subject: [External Email]Tubbs Transfer 84729

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Stan,

During my review of the transfer application, there were some discrepancies that need clarification. On page 3, it list Stockwataer/Commercial as uses. However you did not list a place of use for commercial on the application or on the map submitted. If you do not want commercial we can drop it off of the application, or you can tell us where you want the commercial place of use to be and we can add it to the application per your instruction. Contact me if you have any questions.

Thanks, Benny

Benny Walker
Idaho Department of Water Resource
650 Addison Ave West
Twin Falls, Idaho 83301

RECEIVED
FEB 11 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

RE: Brian & Shelly Tubbs Transfer

11/29/2020

Location: SW of the SE sec 1 T 11S R 15E
3364 N 3200 Filer, Idaho

Snake River Management
4875 West Athens Ct
Eagle, Id. 83616
208-731-9930

Dear Benny,

As per our conversation, I am submitting an application of transfer of water rights from Mathers Ranches to Brian & Shelly Tubbs. This Application is for 40 AF going from Irrigation to Commercial/Stock watering operations.

Present water rights are not adequate and need to be brought up for stock water/Commercial watering at the current feedlot. See the facilities located on the map attached to the transfer file.

At present 900 head are watered at the facility using Salmon river canal shares and domestic well water for three – six months in conjunction with pastures before being sold.

Enclosed is spreadsheets for CAFO operations that are proposed. Brockway Engineer Greg Sullivan has updated the current operation and increased the use to a Maximum of 3500 head.

In this transfer a new well is proposed with measuring device.

Please feel free to contact me if you have further questions about the operation.

Thank you

Stan Haye

