

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84546

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
NOV 23 2020

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 information are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Crestview Calves LLC

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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NOV 23 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Crestview Calves LLC Phone 208-438-8159
Mailing address 756 S 2800 E Hazelton, Idaho 83335 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

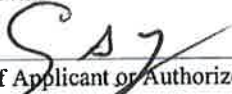
☒ Send original correspondence to the applicant and copies to the representative.

☒ 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

Cody G. Morgan Member
Print Name and Title if applicable

11-6-2020
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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**.
The transfer proposes to change 48.6 acres of irrigation water from 36-7418 to stock and commercial water. No
ESPA model analysis is required because the FROM and TO ESPA model cells are adjacent to one another.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEC 04 2020

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 ☐ ☐				to	
☐ ☐	See Exhibit A			to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.27 cfs and/or 1044.9 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.57 cubic feet per second and/or 304.4 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 #
			SW	NW	26	9S	21E	Jerome	Ground Water	
			SE	NW	26	9S	21E	Jerome	Ground Water	
			NW	SW	26	9S	21E	Jerome	Ground Water	
			NW	SE	23	9S	21E	Jerome	Ground Water	

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	
09S	21E	23									S/C				S/C	S/C			
09S	21E	26		S/C	S/C		S/C	S/C	S/C	S/C	S/C	S/C				S/C			
Total Acres (for irrigation use)																			

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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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☐ ☐				to	
☐ ☐	See Exhibit A			to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.27 cfs and/or 1044.9 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.57 cubic feet per second and/or 304.4 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 #
			SW	NW	26	9S	21E	Jerome	Ground Water	
			SE	NW	26	9S	21E	Jerome	Ground Water	
			NW	SW	26	9S	21E	Jerome	Ground Water	
			NW	SE	23	9S	21E	Jerome	Ground Water	

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	
09S	21E	23									S/C				S/C	S/C			
09S	21E	26					S/C	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:

A new well will be drilled for the new facility and plumbed into the existing water system and existing wells.

- b. Who owns the property at the point(s) of diversion? Crestview Calves 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: 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:

Land will no longer be irrigated.

- 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:

36-14632, 36-16094, 36-16096, and 36-16098

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

Yes No

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

If yes, describe:

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

Current Water Right No.: 36-7418

Current Owner: CRESTVIEW CALVES LLC

Priority Date: 12/11/1973

Origin: Water Right

Status: Active

Basis:	License
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Source

Tributary

GROUND WATER

Beneficial Use

From	To
------	----

4/01 to 10/31

Diversion Rate

3.48 CFS

3.48 CFS

Annual Volume

868 AF

868 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4NW1/4

Sec. 24, Twp 09S, Rge 21E B.M.

JEROME County

Place of Use

IRRIGATION Within JEROME County

T09S R21E S23

SWNE

15.00

T09S R21E S23

SENE

40.00

T09S R21E S23

NESW

17.00

T09S R21E S23

NESE

40.00

T09S R21E S23

NWSE

30.00

T09S R21E S24

SWNW

35.00

T09S R21E S24

NWSW

40.00

Total Acres: 217

Conditions of Approval:

1. 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.
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. R57 The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.
4. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
5. 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.
6. 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.
7. This right is appurtenant to land designated as DLE No. I-7313.

Licensed Date: 1/12/1994

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

Current Water Right No.: 36-14632

Current Owner: KATHY J MORGAN
CODY G MORGAN

Priority Date: 3/11/1960

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.07 CFS	1 AF
DOMESTIC	01/01 to 12/31	0.07 CFS	4.8 AF
STOCKWATER	01/01 to 12/31	0.07 CFS	38.8 AF
	<u>Total Diversion</u>	0.07 CFS	44.6 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4SW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SE1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	NE1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNE
T09S R21E S26	NENW
T09S R21E S26	SWNW
T09S R21E S26	NESW
T09S R21E S26	NWSE

T09S R21E S26	SWNE
T09S R21E S26	NWNW
T09S R21E S26	SEnw
T09S R21E S26	NWSW

COMMERCIAL Within JEROME County

T09S R21E S26	NWNE
T09S R21E S26	NENW
T09S R21E S26	SWNW
T09S R21E S26	NESW
T09S R21E S26	NWSE

T09S R21E S26	SWNE
T09S R21E S26	NWNW
T09S R21E S26	SEnw
T09S R21E S26	NWSW

DOMESTIC Within JEROME County

T09S R21E S26	SWNW
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Conditions of Approval:

1. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
2. 212 Prior to diversion and use of water under Transfer approval 80864, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured from the well located in the NESWNW of Sec 26, T 09S, R21E.
3. X35 Rights 36-14632, 36-16094, 36-16096, and 36-16098 when combined shall not exceed a total diversion rate of 0.18 cfs and a total annual maximum diversion volume of 73.9 af.
4. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. Commercial use is for a calf-rearing operation.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
11. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
13. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
14. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
15. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Decreed Date: 6/18/1998

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

Current Water Right No.: 36-16094

Current Owner: KATHY J MORGAN
CODY G MORGAN

Priority Date: 3/10/1992

Origin: Water Right

Status: Active

Basis: License

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

STOCKWATER

01/01 to 12/31

0.03 CFS

0.6 AF

Total Diversion

0.03 CFS

0.6 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

NE1/4SW1/4NW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

SW1/4SW1/4NW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

SW1/4NW1/4SW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNE
T09S R21E S26	NENW
T09S R21E S26	SWNW
T09S R21E S26	NESW
T09S R21E S26	NWSE

T09S R21E S26	SWNE
T09S R21E S26	NWNW
T09S R21E S26	SENE
T09S R21E S26	NWSW

Conditions of Approval:

1. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
2. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 212 Prior to diversion and use of water under Transfer approval 80864, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured from the well located in the NESWNW of Sec 26, T 09S, R21E.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. X35 Rights 36-14632, 36-16094, 36-16096, and 36-16098 when combined shall not exceed a total diversion rate of 0.18 cfs and a total annual maximum diversion volume of 73.9 af.
8. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
11. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Licensed Date: 4/16/1999

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

Current Water Right No.: 36-16096

Current Owner: KATHY J MORGAN
CODY G MORGAN

Priority Date: 2/6/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

STOCKWATER

01/01 to 12/31

0.02 CFS

11.7 AF

Total Diversion

0.02 CFS

11.7 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

NE1/4SW1/4NW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

SW1/4SW1/4NW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

SW1/4NW1/4SW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26

NWNE

T09S R21E S26

SWNE

T09S R21E S26

NENW

T09S R21E S26

NWNW

T09S R21E S26

SWNW

T09S R21E S26

SENE

T09S R21E S26

NESW

T09S R21E S26

NWSW

T09S R21E S26

NWSE

Conditions of Approval:

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. 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.
3. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
4. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. X35 Rights 36-14632, 36-16094, 36-16096, and 36-16098 when combined shall not exceed a total diversion rate of 0.18 cfs and a total annual maximum diversion volume of 73.9 af.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
11. 212 Prior to diversion and use of water under Transfer approval 80864, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured from the well located in the NESWNW of Sec 26, T 09S, R21E.
12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
13. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-16098

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 3/11/1954

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

STOCKWATER

01/01 to 12/31

0.06 CFS

17 AF

Total Diversion

0.06 CFS

17 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

NE1/4SW1/4NW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

SW1/4SW1/4NW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

SW1/4NW1/4SW1/4

Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26

NWNE

T09S R21E S26

SWNE

T09S R21E S26

NENW

T09S R21E S26

NWNW

T09S R21E S26

SWNW

T09S R21E S26

SENE

T09S R21E S26

NESW

T09S R21E S26

NWSW

T09S R21E S26

NWSE

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. 212 Prior to diversion and use of water under Transfer approval 80864, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured from the well located in the NESWNW of Sec 26, T 09S, R21E.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
10. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
13. X35 Rights 36-14632, 36-16094, 36-16096, and 36-16098 when combined shall not exceed a total diversion rate of 0.18 cfs and a total annual maximum diversion volume of 73.9 af.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-16408

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 3/10/1992

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	01/01 to 12/31	0.08 CFS	1.5 AF
STOCKWATER	01/01 to 12/31	0.08 CFS	1.5 AF
	<u>Total Diversion</u>	0.08 CFS	1.5 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 26, Twp 09S, Rge 21E B.M.
JEROME County		
GROUND WATER	NE1/4SW1/4NW1/4	Sec. 26, Twp 09S, Rge 21E B.M.
JEROME County		
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 26, Twp 09S, Rge 21E B.M.
JEROME County		
GROUND WATER	SW1/4NW1/4SW1/4	Sec. 26, Twp 09S, Rge 21E B.M.
JEROME County		

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNE	T09S R21E S26	SWNE
T09S R21E S26	NENW	T09S R21E S26	NWNW
T09S R21E S26	SWNW	T09S R21E S26	SENE
T09S R21E S26	NESW	T09S R21E S26	NWSW
T09S R21E S26	NWSE		

COMMERCIAL Within JEROME County

T09S R21E S26	NWNE	T09S R21E S26	SWNE
T09S R21E S26	NENW	T09S R21E S26	NWNW
T09S R21E S26	SWNW	T09S R21E S26	SENE
T09S R21E S26	NESW	T09S R21E S26	NWSW
T09S R21E S26	NWSE		

Conditions of Approval:

1. Commercial use is for a calf-rearing operation.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
4. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
5. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 212 Prior to diversion and use of water under Transfer approval 80864, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured from the well located in the NESWNW of Sec 26, T 09S, R21E.
8. X35 Rights 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 53.3 af.
9. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
10. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
11. 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.
12. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
13. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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

Current Water Right No.: 36-16410

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 2/6/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

COMMERCIAL	01/01 to 12/31
STOCKWATER	01/01 to 12/31
<u>Total Diversion</u>	

0.06 CFS	19.9 AF
0.06 CFS	19.9 AF
0.06 CFS	19.9 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

NE1/4SW1/4NW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

SW1/4SW1/4NW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

SW1/4NW1/4SW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNE
T09S R21E S26	NENW
T09S R21E S26	SWNW
T09S R21E S26	NESW
T09S R21E S26	NWSE

T09S R21E S26	SWNE
T09S R21E S26	NWNW
T09S R21E S26	SENE
T09S R21E S26	NWSW

COMMERCIAL Within JEROME County

T09S R21E S26	NWNE
T09S R21E S26	NENW
T09S R21E S26	SWNW
T09S R21E S26	NESW
T09S R21E S26	NWSE

T09S R21E S26	SWNE
T09S R21E S26	NWNW
T09S R21E S26	SENE
T09S R21E S26	NWSW

Conditions of Approval:

1. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
4. 212 Prior to diversion and use of water under Transfer approval 80864, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured from the well located in the NESWNW of Sec 26, T 09S, R21E.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. Commercial use is for a calf-rearing operation.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
10. 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.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
13. X35 Rights 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 53.3 af.
14. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-16412

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 3/11/1954

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.23 CFS	53.3 AF
COMMERCIAL	01/01 to 12/31	0.23 CFS	53.3 AF
	<u>Total Diversion</u>	0.23 CFS	53.3 AF

Location of Point(s) of Diversion

<u>Location of Point(s) of Diversion</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
GROUND WATER JEROME County	SE1/4NW1/4	Sec. 26, Twp 09S, Rge 21E B.M.
GROUND WATER JEROME County	NE1/4SW1/4NW1/4	Sec. 26, Twp 09S, Rge 21E B.M.
GROUND WATER JEROME County	SW1/4SW1/4NW1/4	Sec. 26, Twp 09S, Rge 21E B.M.
GROUND WATER JEROME County	SW1/4NW1/4SW1/4	Sec. 26, Twp 09S, Rge 21E B.M.

Place of Use

STOCKWATER Within JEROME County

<u>Place of Use</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
T09S R21E S26 NWNE	T09S R21E S26	SWNE
T09S R21E S26 NENW	T09S R21E S26	NWNW
T09S R21E S26 SWNW	T09S R21E S26	SENE
T09S R21E S26 NESW	T09S R21E S26	NWSW
T09S R21E S26 NWSE		

COMMERCIAL Within JEROME County

<u>Place of Use</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
T09S R21E S26 NWNE	T09S R21E S26	SWNE
T09S R21E S26 NENW	T09S R21E S26	NWNW
T09S R21E S26 SWNW	T09S R21E S26	SENE
T09S R21E S26 NESW	T09S R21E S26	NWSW
T09S R21E S26 NWSE		

Conditions of Approval:

1. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
2. X35 Rights 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 53.3 af.
3. 212 Prior to diversion and use of water under Transfer approval 80864, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured from the well located in the NESWNW of Sec 26, T 09S, R21E.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
5. 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.
6. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
7. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Commercial use is for a calf-rearing operation.
9. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
14. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-17071

Current Owner: KATHY J MORGAN
CODY G MORGAN

Priority Date: 3/10/1992

Origin: Water Right

Status: Active

Basis: License

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1 /1 to 12/31	0.06 CFS	1.3 AF
STOCKWATER	1 /1 to 12/31	0.06 CFS	1.3 AF
	<u>Total Diversion</u>	0.06 CFS	1.3 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	NE1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SW1/4NW1/4SW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNE	T09S R21E S26	SWNE
T09S R21E S26	NENW	T09S R21E S26	NWNW
T09S R21E S26	SWNW	T09S R21E S26	SENW
T09S R21E S26	NESW	T09S R21E S26	NWSW
T09S R21E S26	NWSE		

COMMERCIAL Within JEROME County

T09S R21E S26	NWNE	T09S R21E S26	SWNE
T09S R21E S26	NENW	T09S R21E S26	NWNW
T09S R21E S26	SWNW	T09S R21E S26	SENW
T09S R21E S26	NESW	T09S R21E S26	NWSW
T09S R21E S26	NWSE		

Conditions of Approval:

1. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
4. Commercial use is for a calf-rearing operation.
5. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 212 Prior to diversion and use of water under Transfer approval 80864, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured from the well located in the NESWNW of Sec 26, T 09S, R21E.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. 933 This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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.
13. X35 Rights 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.24 cfs and a total annual maximum diversion volume of 49.7 af.

Licensed Date: 4/16/1999

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

Current Water Right No.: 36-17072

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 2/6/1961

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 /1 to 12/31	0.05 CFS	18 AF
STOCKWATER	1 /1 to 12/31	0.05 CFS	18 AF
	<u>Total Diversion</u>	0.05 CFS	18 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	NE1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SW1/4NW1/4SW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNE	T09S R21E S26	SWNE
T09S R21E S26	NENW	T09S R21E S26	NWNW
T09S R21E S26	SWNW	T09S R21E S26	SENE
T09S R21E S26	NESW	T09S R21E S26	NWSW
T09S R21E S26	NWSE		

COMMERCIAL Within JEROME County

T09S R21E S26	NWNE	T09S R21E S26	SWNE
T09S R21E S26	NENW	T09S R21E S26	NWNW
T09S R21E S26	SWNW	T09S R21E S26	SENE
T09S R21E S26	NESW	T09S R21E S26	NWSW
T09S R21E S26	NWSE		

Conditions of Approval:

1. 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.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Commercial use is for a calf-rearing operation.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 212 Prior to diversion and use of water under Transfer approval 80864, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured from the well located in the NESWNW of Sec 26, T 09S, R21E.
9. X35 Rights 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.24 cfs and a total annual maximum diversion volume of 49.7 af.
10. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
13. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-17073

Current Owner: CODY G MORGAN
KATHY J MORGAN
Priority Date: 3/11/1954
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 /1 to 12/31	0.13 CFS	31.7 AF
STOCKWATER	1 /1 to 12/31	0.13 CFS	31.7 AF
	<u>Total Diversion</u>	0.13 CFS	31.7 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	NE1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SW1/4NW1/4SW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNE	T09S R21E S26	SWNE
T09S R21E S26	NENW	T09S R21E S26	NWNW
T09S R21E S26	SWNW	T09S R21E S26	SENW
T09S R21E S26	NESW	T09S R21E S26	NWSW
T09S R21E S26	NWSE		

COMMERCIAL Within JEROME County

T09S R21E S26	NWNE	T09S R21E S26	SWNE
T09S R21E S26	NENW	T09S R21E S26	NWNW
T09S R21E S26	SWNW	T09S R21E S26	SENW
T09S R21E S26	NESW	T09S R21E S26	NWSW
T09S R21E S26	NWSE		

Conditions of Approval:

1. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
2. 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.
3. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
4. X35 Rights 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.24 cfs and a total annual maximum diversion volume of 49.7 af.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
7. Commercial use is for a calf-rearing operation.
8. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. 212 Prior to diversion and use of water under Transfer approval 80864, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured from the well located in the NESWNW of Sec 26, T 09S, R21E.
12. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
13. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Decreed Date: 8/27/2001

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 or a sheet of stationery.

Page 6-29

Exhibit A**Water Rights To Be Transferred**

All	or	Part	Water Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use			Source & Tributary
X			36-14632	0.07/44.6	S/C/D	1/01	to	12/31	Ground Water
X			36-16094	0.03/0.6	S	1/01	to	12/31	Ground Water
X			36-16096	0.02/11.7	S	1/01	to	12/31	Ground Water
X			36-16098	0.06/17.0	S	1/01	to	12/31	Ground Water
X			36-16408	0.08/1.5	S/C	1/01	to	12/31	Ground Water
X			36-16410	0.06/19.9	S/C	1/01	to	12/31	Ground Water
X			36-16412	0.23/53.3	S/C	1/01	to	12/31	Ground Water
X			36-17071	0.06/1.3	S/C	1/01	to	12/31	Ground Water
X			36-17072	0.05/18.0	S/C	1/01	to	12/31	Ground Water
X			36-17073	0.13/31.7	S/C	1/01	to	12/31	Ground Water
		X	36-7418	0.78/127.5	S/C	1/01	to	12/31	Ground Water
							to		

Total Authorized 4.27 cfs 1044.9 acre-feet

Total Amount to change 1.57 cfs 304.4 acre-feet

TRANSFER 84546

Stockwater Component

Drinking Water Calculation for Replacement Herd (Calves and Heifers)

Age	consumption	lbs/animal	GPD	Ac-Ft/year
1 mo	1.7 gal/day	90	21450	24.03
2 mo	2.0 gal/day	116	25350	28.40
3 mo	2.5 gal/day	140	31850	35.68
4 mo	3.3 gal/day	170	27083	30.34
5 mo	4.2 gal/day	180	35000	39.21
6 mo	4.4 gal/day	190	18967	21.25
7 mo	4.6 gal/day	200	19733	22.11
8 mo	4.7 gal/day	250	20500	22.96
9 mo	4.9 gal/day	300	21267	23.82
10 mo	5.1 gal/day		0	0.00
11 mo	5.3 gal/day		0	0.00
12 mo	5.4 gal/day		0	0.00

Drinking water requirement for replacement herd	221200	gpd	247.79	ac-ft/year
Waste Milk	4000	gpd	4.48	ac-ft/year
Milk Concentrate	6000	gpd	6.72	ac-ft/year
TOTAL STOCKWATER COMPONENT			236.59	AC-FT/YEAR

Commercial Component

Milk Carts	8.00	
Washings	2.00	per day
gal/washing	500	
Total Current Cart Wash	8000	gal/day
TOTAL COMMERCIAL COMPONENT	8.96	ac-ft/year

Summary

Drinking Water

Replacement herd (calves and heifers)	247.8	ac-ft/year
Total drinking water volume	247.8	ac-ft/year

Commercial

Waste Milk-Drinking water offset	4.48	ac-ft/year
Milk Concentrate-Drinking water offset	6.72	ac-ft/year
Total commercial volume	11.2	ac-ft/year

Total Volume

TOTAL DIVERSION VOLUME REQUIREMENT	259.0	AC-FT/YR
Current Diversion (Existing WRs)	176.9	AC-FT/YR
TOTAL VOLUME NEEDED TO TRANSFER	82.1	AC-FT/YR

Irrigation Acres Required for Stockwater Consumptive Use

	CIR	ACRES	AC-FT/YR	Crop Year	Crop
Area 1	2.63 AF/ACRE	8.4	22.1	2015	beets
Area 2	2.47 AF/ACRE	2.2	5.4	2019	grass
Area 3	2.63 AF/ACRE	21.6	56.8	2015	beets
Area 4	2.63 AF/ACRE	7.6	20.0	2015	beets
Area 5	2.63 AF/ACRE	4.7	12.4	2015	beets
Area 6	2.63 AF/ACRE	4.1	10.8	2015	beets
Totals		48.6	127.5		

Total Stock and Commercial Water After Transfer Approval

304.4 AC-FT/YR

TRANSFER 84546

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: Artan Morgan

Remarks:

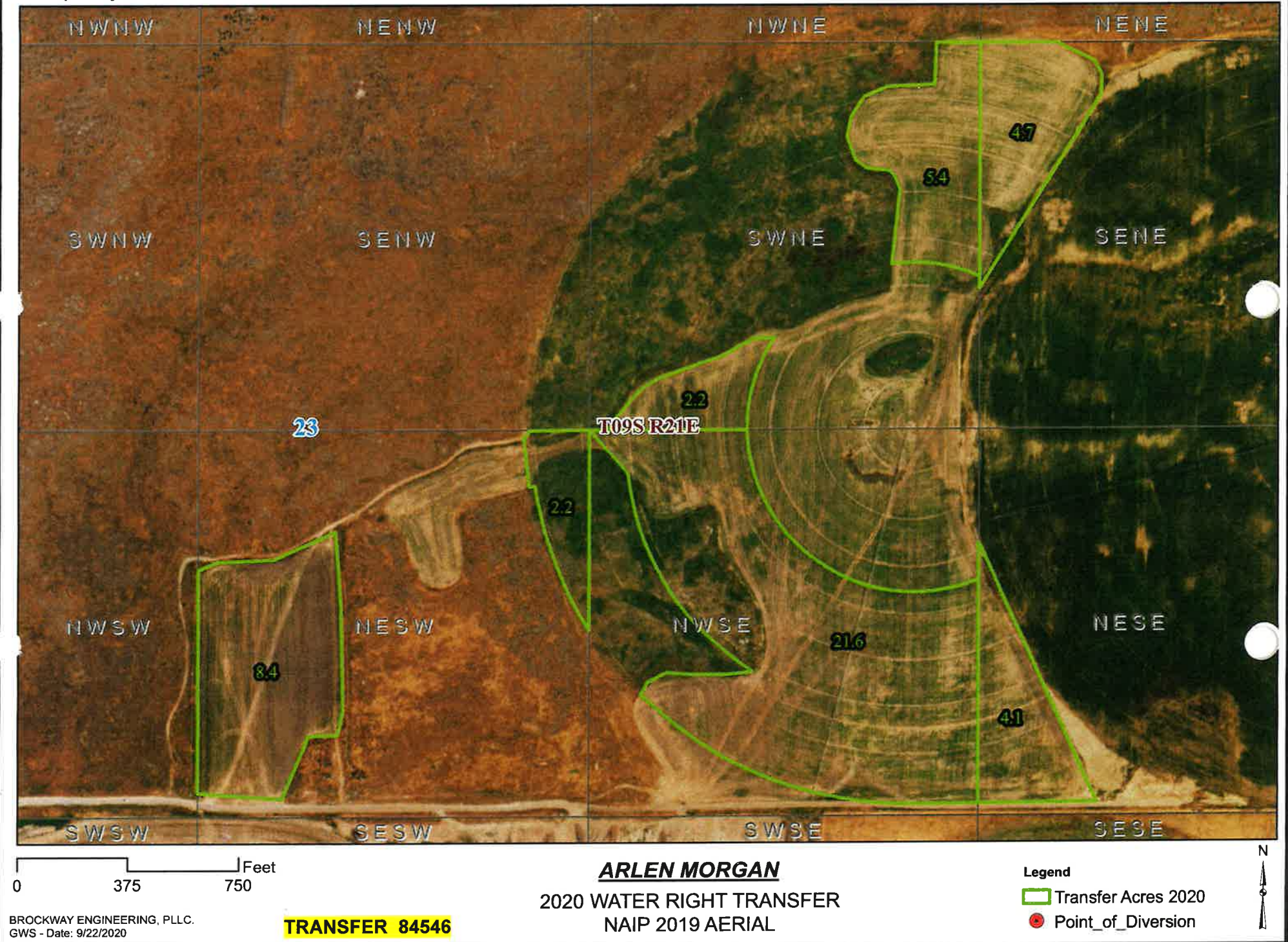
Herd Information - User Input

	Current	Additional		
Number of milking cows	0	0		
Number of dry cows	0	0		
Number of other adult dry animals	0	0		
Number of Animal Units	11,500	3,500	1 Animal Unit =	1000 lbs
Number of Animals	53,000	20,000	Total	11,500,000 lbs
Calves at age:				
1 month	9,000	4,000	lbs/animal	lbs
2 months	9,000	4,000	90	1,170,000
3 months	9,000	4,000	116	1,508,000
4 months	4,333	4,000	140	1,820,000
5 months	4,333	4,000	170	1,416,667
6 months	4,333		180	1,500,000
7 months	4,333		190	823,333
8 months	4,333		200	866,667
9 months	4,333		250	1,083,333
10 months			300	1,300,000
11 months				
12 months				
Total	73,000		Total	11,488,000 lbs

Commercial Component

Milk Carts	8	
Estimated gal per washing	500	
Washings	2	per day

TRANSFER 84546





0 1,000 2,000 Feet

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 9/4/2020

TRANSFER 84546

ARLEN MORGAN
2020 IRRIGATION TO S/C TRANSFER
NAIP 2019 AERIAL

Legend

- S_C_PODs
- ▨ S_C_WRs



Minidoka, Idaho

FSA - 578 (09-13-16)

Farm Number: 4188

Operator Name and Address

BLN HUETTIG FARM

1247 S 2000 E

HAZELTON, ID 83335-5467

REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2015

DATE: 10/05/2020

PAGE: 1

Original: _____

Revision: _____

Cropland: 231.06

Farmland: 320.65

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
2626	1	GRASS	ORG	GZ		I	C	N	I	A	27.97		Yes		O	9/15/1995	01	
		Producer WAYNE R ALLEN			Share	100.00			RMA Unit							NAP Unit 2211	Signature Date 09/30/2015	
	2	SBEET		PR		I	C	N	I	A	53.39		Yes		O	4/22/2015	01	
		Producer BLN HUETTIG FARM			Share	100.00			RMA Unit							NAP Unit 1877	Signature Date 09/30/2015	
	3	SBEET		PR		I	C	N	I	A	126.30		Yes		O	4/22/2015	01	
		Producer BLN HUETTIG FARM			Share	100.00			RMA Unit							NAP Unit 1877	Signature Date 09/30/2015	
	4	SBEET		PR		I	C	N	I	A	8.90		Yes		O	4/22/2015	01	
		Producer BLN HUETTIG FARM			Share	100.00			RMA Unit							NAP Unit 1877	Signature Date 09/30/2015	
	5	SBEET		PR		I	C	N	I	A	2.30		Yes		O	4/22/2015	01	
		Producer BLN HUETTIG FARM			Share	100.00			RMA Unit							NAP Unit 1877	Signature Date 09/30/2015	
	6	GRASS	ORG	GZ		I	C	N	I	A	12.20		Yes		O	9/15/1995	01	
		Producer WAYNE R ALLEN			Share	100.00			RMA Unit							NAP Unit 2211	Signature Date 09/30/2015	

Tract 2626 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	SBEET		PR	I	A	190.89	01	GRASS	ORG	GZ	I	A	40.17							

Photo Number/Legal Description: TRANSFER FROM JEROME SEC 23&24 T9S-R21

Cropland: 231.06

Reported on Cropland: 231.06

Difference: 0.00

Reported on Non-Cropland: 0.00

TRANSFER 84546

Minidoka, Idaho

FSA - 578 (09-13-16)

Farm Number: 4188

Operator Name and Address

DESERTVIEW FARMS LLC

756 S 2800 E

HAZELTON, ID 83335-5280

REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2019

DATE: 10/05/2020

PAGE: 1

Original: MC

Revision: MC

Cropland: 223.84

Farmland: 320.65

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
2626	3	CORN	YEL	SG		I	C	N	I	A	126.30		Yes		N	5/5/2019	01	
		Producer DESERTVIEW FARMS LLC				Share 100.00		FSA Physical Location Jerome, Idaho								NAP Unit 2259	Signature Date 07/11/2019	
	4	TRICL		FG		I	C	N	I	A	8.94		Yes		N	10/15/2018	01	
		Producer DESERTVIEW FARMS LLC				Share 100.00		FSA Physical Location Jerome, Idaho								NAP Unit 2259	Signature Date 07/11/2019	
	96	GRASS	NAG	GZ		N	C	N	IV	A	9.20		Yes		N		21	
		Producer DESERTVIEW FARMS LLC				Share 100.00		FSA Physical Location Jerome, Idaho								NAP Unit 2259	Signature Date 07/11/2019	
	99	GRASS	NAG	GZ		N	C	N	IV	A	23.27		Yes		N		21	
		Producer DESERTVIEW FARMS LLC				Share 100.00		FSA Physical Location Jerome, Idaho								NAP Unit 2259	Signature Date 07/11/2019	
	101	TRICL		FG		I	C	N	I	A	56.13		Yes		N	10/15/2018	01	
		Producer DESERTVIEW FARMS LLC				Share 100.00		FSA Physical Location Jerome, Idaho								NAP Unit 2259	Signature Date 07/11/2019	

Tract 2626 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	CORN	YEL	SG	I	A	126.30	21	GRASS	NAG	GZ	N	A	32.47	01	TRICL		FG	I	A	65.07

Photo Number/Legal Description: TRANSFER FROM JEROME SEC 23&24 T9S-R21

Cropland: 223.84

Reported on Cropland: 223.84

Difference: 0.00

Reported on Non-Cropland: 0.00

TRANSFER 84546

Minidoka County, Idaho

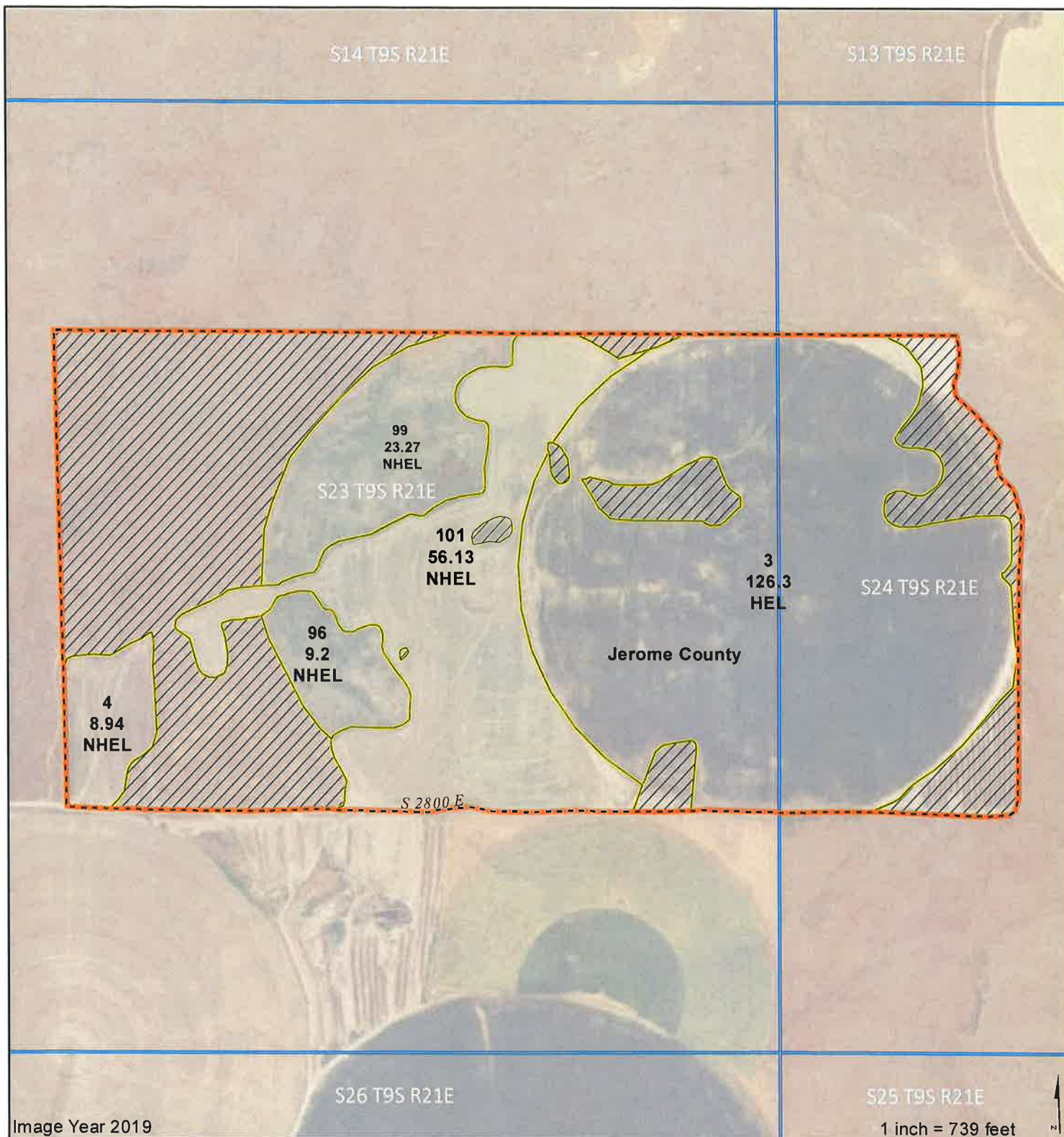
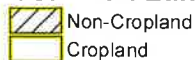


Image Year 2019

1 inch = 739 feet

Common Land Unit



Tract Boundary

PLSS

County Boundary

Wetland Determination Identifiers

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

Tract Cropland Total: 223.84 acres

TRANSFER 84546

2020 Program Year

Map Created May 21, 2020

Farm 4188

Tract 2626

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).



815 N College Rd
Twin Falls, ID 83301-3484
Voice: 208.732.1000 Toll-Free: 800.733.9412 Fax: 208.732.1005

Dec 01, 2020

Crestview Calves LLC
756 South 3800 East
Hazelton, ID 83335

RECEIVED

DEC 07 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

RE: Water Right Transfer

Dear Borrower,

Northwest Farm Credit Services, FLCA concurs with the proposed changes that are listed on the application for transfer or water right regarding water right 36-7418.

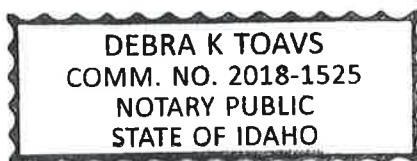
If you have any questions or need additional information, feel free to contact me at (208) 732-1000.

Sincerely,

Bronson Reeder
Relationship Manager

STATE OF Idaho)
)ss.
County of Twin Falls)

On this 1st day of December, 2020, before me personally appeared Bronson Reeder, known to me to be the person described in and who executed the within instrument, and acknowledged that he executed the same as his free act and deed.



Printed name Debra K Toavs
Notary Public for the State of Idaho
Residing at Twin Falls
My Commission expires 7-16-2024

TRANSFER 84546

Here to Help You Grow®



0003678380

**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 #: 0003678380

Date Filed: 11/15/2019 3:10:54 PM

Entity Name and Mailing Address:

CRESTVIEW CALVES LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000369061

Address

756 S 2800 E
HAZELTON, ID 83335-5280

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: W120201

The registered agent on record is:

Registered Agent

CODY G MORGAN

Registered Agent

Physical Address

756 S 2800 E
HAZELTON, ID 83335

Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
HUTCH MANAGEMENT LLC	Member	756 S 2800 E HAZELTON, ID 83335
CODY G MORGAN	Manager	756 S 2800 E HAZELTON, ID 83335

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

Cody G Morgan

Sign Here

11/15/2019

Date

Signer's Title: Member

B0406-0485 11/15/2019 3:10 PM Received by ID Secretary of State Lawrence Denney

TRANSFER 84546

RECEIVED

SEP 11 2020

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

Transfer No. _____

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) Crestview Calves 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 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: _____

SEP 11 2020

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Crestview Calves LLC Phone 208-438-8159
 Mailing address 756 S 2800 E Hazelton, Idaho 83335 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]
 Signature of Applicant or Authorized Representative

Cody G. Morgan Manager
 Print Name and Title if applicable

9-5-2020
 Date

 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 _____
- 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**.
- 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**.
 The transfer proposes to change 36.3 acres of irrigation water from 36-7418 to stock and commercial water. No
 ESPA model analysis is required because the FROM and TO ESPA model cells are adjacent to one another.

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 ☐ ☒	36-7418	0.58/102.5	Stock Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.48 cfs and/or 868 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.58 cubic feet per second and/or 102.5 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 #
			SW	NW	26	9S	21E	Jerome	Ground Water	
			SE	NW	26	9S	21E	Jerome	Ground Water	
			NW	SW	26	9S	21E	Jerome	Ground Water	
			NW	SE	23	9S	21E	Jerome	Ground Water	

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	
09S	21E	23									S/C				S/C	S/C			
09S	21E	26					S/C	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.
A new well will be drilled for the new facility and plumbed into the existing water system and existing wells.

- b. Who owns the property at the point(s) of diversion? Crestview Calves LLC

If other than the applicant, describe the arrangements 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: 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 on 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:
Land will no longer be irrigated.

- 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:
36-14632, 36-16094, 36-16096, and 36-16098

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

Yes No

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

If yes, describe:

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

Current Water Right No.: 36-7418

Current Owner: CRESTVIEW CALVES LLC

Priority Date: 12/11/1973

Origin: Water Right

Status: Active

Basis: License

Source

GROUND WATER

Beneficial Use

IRRIGATION

From To

4/01 to 10/31

Total Diversion

Diversion

3.48 CFS

3.48 CFS

Annual Volume

868 AF

868 AF

Location of Point(s) of Diversion

GROUND WATER

JEROME County

SW1/4NW1/4

Sec. 24, Twp 09S, Rge 21E B.M.

Place of Use

IRRIGATION Within JEROME County

T09S R21E S23	SWNE	15.00	T09S R21E S23	SENE	40.00
T09S R21E S23	NESW	17.00	T09S R21E S23	NESE	40.00
T09S R21E S23	NWSE	30.00	T09S R21E S23	SWNW	35.00
T09S R21E S24	NWSW	40.00			

Total Acres: 217

Conditions of Approval:

1. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
2. 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.
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. 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.
5. 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, 02-02067, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 36-02128, 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.
6. R57 The Director retains jurisdiction of this right and may change, add, or remove any requirement as determined to be appropriate.
7. This right is appurtenant to land designated as DL 7313.

Licensed Date: 1/12/1994

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 map clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

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.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☒ 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 #3a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental navigation 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:

A close-up photograph of a single handwritten cursive letter 'z' on lined paper. The letter is formed with dark ink, showing a series of loops and curves characteristic of cursive script. The 'z' is positioned in the center of the frame, with its vertical strokes aligned with the horizontal lines of the paper. The background consists of several horizontal lines, some of which are slightly blurred due to a shallow depth of field.

Transfer contains _____ pages and _____ attachments.

Received by SM Date 9-11-2020 Preliminary check by _____ Date _____

Fee paid: \$750- Date 9-11-2020 Received by Am Receipt # 5038130

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)



0 500 1,000 Feet

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 9/4/2020

ARLEN MORGAN
2020 WATER RIGHT TRANSFER
NAIP 2019 AERIAL

Legend

- Transfer Acres 2020
- Point_of_Diversion





0 1,000 2,000 Feet

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 9/4/2020

ARLEN MORGAN
2020 IRRIGATION TO S/C TRANSFER
NAIP 2019 AERIAL

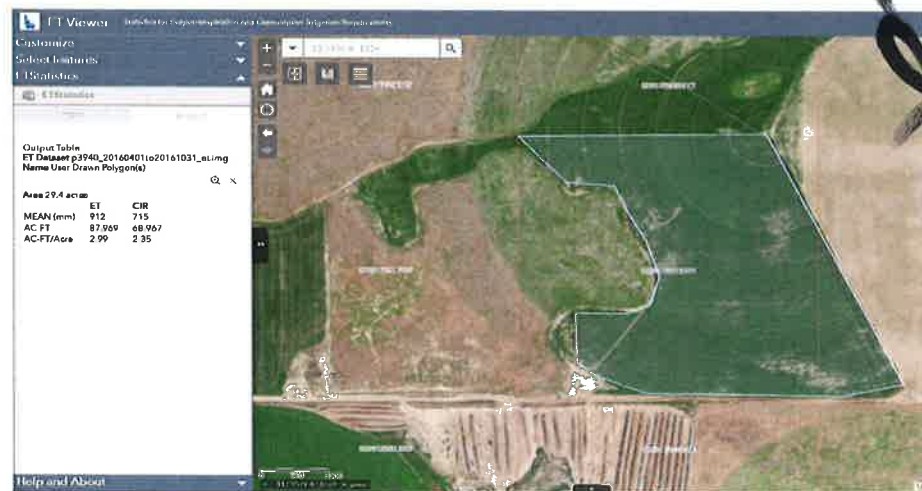
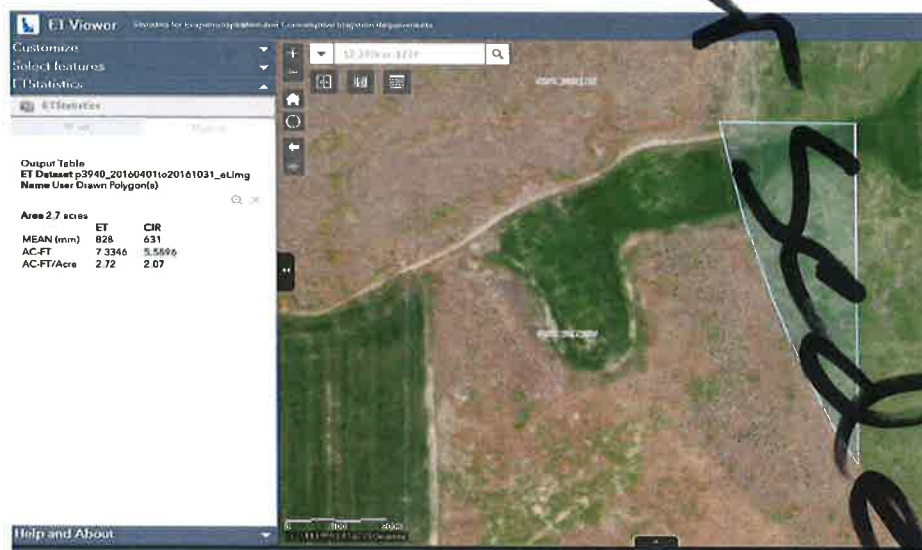
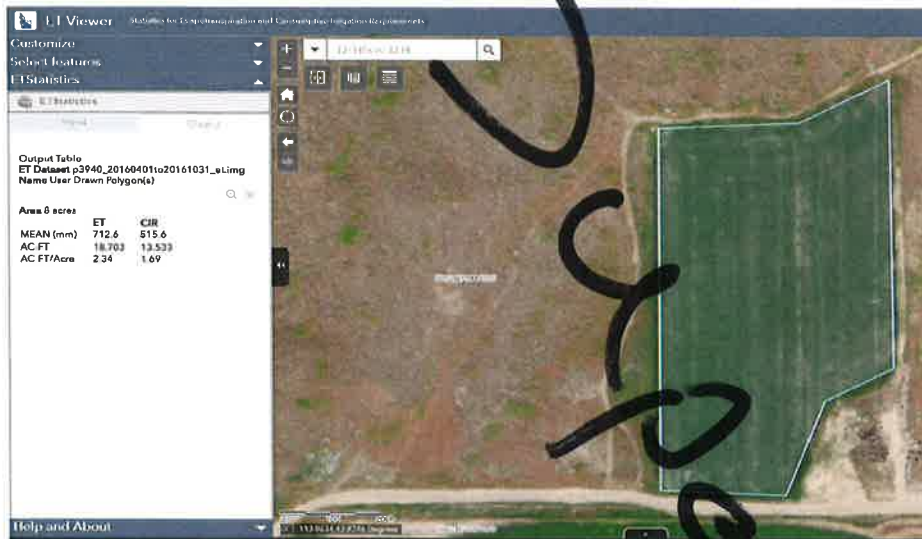
Legend

- S_C_PODs
- ▨ S_C_WRs



Consumptive Use Analysis

ET	Acres	Acre-Feet
2.34 AF/ACRE	8.4	19.7
2.72 AF/ACRE	2.2	6.0
2.99 AF/ACRE	21.6	64.6
2.99 AF/ACRE	4.1	12.3
	36.3	102.5



Stockwater Component

Drinking Water Calculation for Replacement Herd (Calves and Heifers)

Age	consumption	lbs/animal	GPD	Ac-Ft/year
1 mo	1.7 gal/day	90	21450	24.03
2 mo	2.0 gal/day	116	25350	28.40
3 mo	2.5 gal/day	140	31850	35.68
4 mo	3.3 gal/day	170	27083	30.34
5 mo	4.2 gal/day	180	35000	39.21
6 mo	4.4 gal/day	190	18967	21.25
7 mo	4.6 gal/day	200	19733	22.11
8 mo	4.7 gal/day	250	20500	22.96
9 mo	4.9 gal/day	300	21267	23.82
10 mo	5.1 gal/day		0	0.00
11 mo	5.3 gal/day		0	0.00
12 mo	5.4 gal/day		0	0.00

Drinking water requirement for replacement herd	221200	gpd	247.79	ac-ft/year
Waste Milk	4000	gpd	4.48	ac-ft/year
Milk Concentrate	6000	gpd	6.72	ac-ft/year
TOTAL STOCKWATER COMPONENT			236.99	AC-FT/YEAR

Commercial Component

Milk Carts	8.00	
Washings	2.00 per day	
gal/washing	500	
Total Current Cart Wash	8000 gal/day	
TOTAL COMMERCIAL COMPONENT	8.96	ac-ft/year

Summary

Drinking Water

Replacement herd (calves and heifers)	247.8 ac-ft/year
Total drinking water volume	247.8 ac-ft/year

Commercial

Waste Milk-Drinking water offset	4.48 ac-ft/year
Milk Concentrate-Drinking water offset	6.72 ac-ft/year
Total commercial volume	11.2 ac-ft/year

Total Volume

TOTAL DIVERSION VOLUME REQUIREMENT	259.0 AC-FT/YR
Current Diversion (Existing WRs)	176.9 AC-FT/YR
TOTAL VOLUME NEEDED TO TRANSFER	82.1 AC-FT/YR

Irrigation Acres Required for Stockwater Consumptive Use

	ET	ACRES	AC-FT/YR
Area 1	2.34 AF/ACRE	8.4	19.7
Area 2	2.72 AF/ACRE	2.2	6.0
Area 3	2.99 AF/ACRE	21.6	64.6
Area 4	2.99 AF/ACRE	4.1	12.3
Totals		36.3	102.5

Total Stock and Commercial Water After Transfer Approval

279.4 AC-FT/YR

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: Arlan Morgan

Remarks:

Herd Information - User Input

	Current	Additional		
Number of milking cows	0	0	1 Animal Unit =	1000 lbs
Number of dry cows	0	0	Total	11,500,000 lbs
Number of other adult dry animals	0	0		
Number of Animal Units	11,500	3,500		
Number of Animals	53,000	20,000		
Calves at age:				
1 month	9,000	4,000	lbs/Animal	lbs
2 months	9,000	4,000	90	1,170,000
3 months	9,000	4,000	16	1,508,000
4 months	4,333	4,000	140	820,000
5 months	4,333	4,000	150	1,166,667
6 months	4,333		180	1,000,000
7 months	4,333		150	823,333
8 months	4,333		200	866,667
9 months	4,333		250	1,083,333
10 months	4,333		300	1,300,000
11 months				
12 months				
Total	73,000		Total	11,460,000 lbs

Commercial Component

Milk Carts	8
Estimated gal per washing	500
Washings	2 per day

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 109414

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	113.76
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	113.76
Fax			
Section	Legals	Start/End Dates	12/17/2020 - 12/23/2020
SubSection		Insertions	2
Category	50 Legal	Size	72
Ad Key	109414-1	Salesperson(s)	Jenny Green - Legals
Keywords	NOTICE OF PROPOSED CHANGE OF W	Taken By	Jenny Green
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84546

CRESTVIEW CALVES LLC, 756 S 2800 E, HAZELTON, ID 83335-5280 has filed Application No. 84546 for changes to the following water rights within JEROME County(s): Right No(s). 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073, 36-7418; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/psater-rights> uerynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion, place of use, nature of use and period of use for a 48.6 acre portion (0.78 cfs) of an irrigation ground water right that is diverted from a well within the place of use located approximately 8.2 to 9.2 miles West and 1.2 to 1.6 miles North of Paul. The proposed change of nature of use will be from irrigation to commercial & r stockwater use for the expansion of an existing calf rearing facility. The application also proposes adjusting the place of use for ten existing commercial & r stockwater ground water rights (totaling 0.79 cfs) and diverting the ten water rights and the converted portion of the irrigation water right (1.57 cfs total) from three existing wells and a proposed new well at the facility as part of the proposed expansion of the facility located approximately 8.8 to 9.6 miles West and 0.2 to 0.8 miles North of Paul.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 January 4, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on December 17th & 23rd, 2020

? website link

To be fixed prior to publication.

Proof of legal notice received from Times News 12/10/2020. ** website link with forward-slashes causes issues with Times News software. To be changed prior to publishing: <https://research.idwr.idaho.gov>.

DM



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

December 10, 2020

CRESTVIEW CALVES LLC
756 S 2800 E
HAZELTON, ID 83335-5280

RE: Transfer No. 84546

Water Right No(s). 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410,
36-16412, 36-17071, 36-17072, 36-17073, 36-7418

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 12/17/2020 and 12/23/2020**. 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 **January 4, 2021**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC
Northwest Farm Credit Services



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

December 10, 2020

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

RE: Application for Transfer No. 84546 (Crestview Calves LLC)

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, December 10, 2020 4:48 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 December 17th & 24th, 2020. 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 & Happy Holidays,

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

December 10, 2020

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84546

Water Right No(s). 36-14632, 36-16094, 36-16096, 36-16098, 36-16408,
36-16410, 36-16412, 36-17071, 36-17072, 36-17073, 36-7418

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 January 4, 2021. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84546**

CRESTVIEW CALVES LLC, 756 S 2800 E, HAZELTON, ID 83335-5280 has filed Application No. 84546 for changes to the following water rights within JEROME County(s): Right No(s). 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073, 36-7418; to see a full description of these rights and the proposed transfer, please see

<https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion, place of use, nature of use and period of use for a 48.6 acre portion (0.78 cfs) of an irrigation ground water right that is diverted from a well within the place of use located approximately 8.2 to 9.2 miles West and 1.2 to 1.6 miles North of Paul. The proposed change of nature of use will be from irrigation to commercial &/or stockwater use for the expansion of an existing calf rearing facility. The application also proposes adjusting the place of use for ten existing commercial &/or stockwater ground water rights (totaling 0.79 cfs) and diverting the ten water rights and the converted portion of the irrigation water right (1.57 cfs total) from three existing wells and a proposed new well at the facility as part of the proposed expansion of the facility located approximately 8.8 to 9.6 miles West and 0.2 to 0.8 miles North of Paul.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 **January 4, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on December 17th & 23rd, 2020

Per e-mail from Times News – they are combining the newspaper for Dec. 24th & 25th; therefore there will not be a printed newspaper on the 24th. The second publication of this ad will run on the 23rd instead.



***** Note: Website link may be shortened in the final publication in the newspaper. Forward slashes cause issues with Times News software.***



Mills, Bill

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Friday, December 04, 2020 8:59 AM
To: Mills, Bill
Subject: RE: Crestview Calves POU
Attachments: SKM_C300i20120320460.pdf

RECEIVED
DEC 04 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

From: Mills, Bill [mailto:William.Mills@idwr.idaho.gov]
Sent: Friday, December 04, 2020 7:16 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Crestview Calves POU

Greg,

The POU for the proposed place of use on the grid on page 3 of the application doesn't match the map you provided with the application. The map shows part of the footprint of the facility in the NWNE, SWNE and NWSE of Section 26, but those tracts are not listed on the grid on page 3 of the application. All of the other tracts listed on the application are reflected on the map. I'm assuming the map is correct, so could you please provide me with a corrected page 3 that adds those three tracts to the grid?

Thanks,

Bill

M E M O R A N D U M

Date: December 3, 2020
To: Transfer 84546 File
From: Bill Mills
Re: Transfer Proposal

Application proposes changing the points of diversion, place of use, nature of use and period of use for a 48.6 acre portion (0.78 cfs) of an irrigation ground water right that is diverted from a well within the place of use located approximately 8.2 to 9.2 miles west and 1.2 to 1.6 miles north of Paul. The proposed change of nature of use will be from irrigation to commercial/stockwater use for the expansion of an existing calf rearing facility. The application also proposes adjusting the place of use for ten existing commercial/stockwater ground water rights (totaling 0.79 cfs) and diverting the ten water rights and the converted portion of the irrigation water right (1.57 cfs total) from three existing wells and a proposed new well at the facility as part of the proposed expansion of the facility located approximately 8.8 to 9.6 miles west and 0.2 to 0.8 miles north of Paul.

MEMORANDUM

Date: December 3, 2020
To: Transfer 84546 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #84546 are based on the current transfer fee schedule and are set at \$580.00 for the 1.57 cfs being transferred in the application and an additional \$250.00 fee for the change in nature of use, for a total \$1070.00 (Receipt Nos. S03813 & S038261).

Mills, Bill

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Thursday, December 03, 2020 8:41 AM
To: Mills, Bill
Subject: RE: Return Letter for Crestview Calves Application for Transfer

Bill,

The portion of water right 36-7418 that will be changing from irrigation to stock and commercial water use will also need to have the period of use changed with this transfer. The period of use for the new portion of 36-7418 should be 1/01-12/31 to accommodate the stock and commercial water use.

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

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

From: Mills, Bill [mailto:William.Mills@idwr.idaho.gov]
Sent: Thursday, September 17, 2020 11:15 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>; awmorgan@pmt.org
Cc: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: Return Letter for Crestview Calves Application for Transfer

Greg,
Please find attached the return letter that I will be mailing out today regarding the Crestview Calve LLC transfer application.
Sincerely,

Bill Mills

Senior Water Resource Agent
Idaho Dept. of Water Resources
Southern Region

Mills, Bill

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Wednesday, December 02, 2020 8:56 AM
To: Mills, Bill
Subject: FW: Crop Reports
Attachments: Printer@Northwestfcs.com_20201202_061609.pdf

From: Bronson Reeder [mailto:Bronson.Reeder@northwestfcs.com]
Sent: Wednesday, December 02, 2020 8:38 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: RE: Crop Reports

Greg,

Attached is a copy of the letter, we'll send the original off to IDWR. Let me know if you need anything else from us.

Thanks



Bronson Reeder

Relationship Manager

406 Park View Loop | Twin Falls, ID 83301

o 208.732.1038 | m 435.740.0578

northwestfcs.com

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Tuesday, December 01, 2020 4:15 PM
To: Bronson Reeder <Bronson.Reeder@northwestfcs.com>
Subject: RE: Crop Reports

Bronson,

You can send the original directly to IDWR. Please email me a copy so I have one for my records.

Send it with Attention to Bill Mills at IDWR. He is the agent working on the transfer.

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

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

From: Bronson Reeder [<mailto:Bronson.Reeder@northwestfcs.com>]
Sent: Tuesday, December 01, 2020 4:04 PM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Re: Crop Reports

Greg,

I'll do that, thanks for calling them. Would you like me to send the original to you or onto IDWR?

Bronson

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Tuesday, December 1, 2020 2:41:09 PM
To: Bronson Reeder <Bronson.Reeder@northwestfcs.com>
Subject: RE: Crop Reports

Bronson,

I just received a call back from the IDWR agent working on the transfer. Apparently they cannot assign a transfer number to the transfer application until it is complete. The transfer is not complete without your letter. So just identify "water right 36-7418 and all associated water rights" in your description. You can also call out exhibit A that lists out all of the water rights involved in the transfer.

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

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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

November 24, 2020

Greg Sullivan
Brockway Engineering PLLC
2016 North Washington Street, STE 4
Twin Falls ID 83301

RE: Application for Transfer for Crestview Calves LLC

Dear Mr. Sullivan:

Thank you for submitting an amended application for transfer that corrected the issues that were pointed out in the previous correspondence dated 9/17/2020.

However, there is another issue that initially was overlooked as the application indicated on Part 1, line 5C that the lands from which you propose to transfer the water right were not subject to any liens, deeds of trust, mortgages or contracts. The irrigation water right 36-7418 that the application proposes converting a portion to commercial/stockwater use, has a security interest placed on it by Northwest Farm Credit Services FLCA. Without correspondence from the security interest holder indicating that they concur with the proposed changes to water right 36-7418, an application for transfer is considered incomplete by the Department.

I will hold the transfer application for 15 days from the date of this letter to allow sufficient time to submit correspondence from the security interest holder to the Department. If correspondence from the security interest holder is not received within 15 days, I will return the currently filed application to you and process a request to refund the submitted fees.

Please feel free to contact me by phone, (208) 736-3033, or by email, william.mills@idwr.idaho.gov, if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bill Mills'.

Bill Mills
Sr. Water Resource Agent
Southern Regional Office

C: Crestview Calves LLC



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

November 18, 2020

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

RECEIVED

NOV 23 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

Re: Crestview Calves LLC

Dear Mr. Mills:

Crestview Calves LLC received your letter dated September 17, 2020 regarding the changes IDWR recommended to the Crestview Calves LLC transfer. The attached transfer application and supporting documents have been updated. An additional fee of \$80.00 is also being submitted to IDWR at this time.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Crestview Calves LLC

Enc: Transfer Application, Aerial Maps, Consumptive Use Maps, CAFO Water Use Requirement Spreadsheet, Brockway Engineering Check # 16135 for \$80.00

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



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

September 17, 2020

Greg Sullivan
Brockway Engineering PLLC
2016 North Washington Street, STE 4
Twin Falls ID 83301

RE: Application for Transfer for Crestview Calves LLC

Dear Mr. Sullivan:

This letter is in reference to an application for transfer that you submitted to the Department for Crestview Calves LLC on 9/11/2020. Review of the application indicates it is incomplete and requires amending before it can be further processed. The items that need to be addressed are as follows:

An application for transfer must list all water rights for use in a common system of diversion and distribution for which the point of diversion, place of use, period of use, or nature of use are proposed to be changed. The application indicates that the water to be transferred is to be added to an existing well system that provides commercial/stockwater for multiple water rights along with adding a new well to the system. However, none of the rights in the system the converted portion of water right 36-7418 is proposed to be added to have been included in the transfer application. This can be addressed in one of two ways: either propose a separate well for the converted portion of water right 36-7418 that is not included as part of the existing system; or include all of the water rights diverted from the existing system to the transfer application. Additionally, our research indicates that there are four points of diversion listed on those rights, while there appear to only be three points of diversion in the system as indicated on the currently filed transfer. This discrepancy with the number of diversions on the existing rights in the system needs to be addressed. Note that if these additional rights are included, additional filing fees will be necessary.

The provided analysis for the conversion to commercial/stockwater from irrigation also needs to be addressed. As you are aware, when converting an irrigation right to stockwater/commercial use the Department requires that precipitation deficit (net irrigation requirement) values be utilized in the conversion rather than ET values. The ET Viewer information and conversion analysis, utilized the ET values for AF/ACRE and for the purposes of change in nature of use analysis rather than the CIR values. Note that utilizing the CIR values rather than ET values will yield less volume at the proposed CAFO. Based on CIR values it appears that the proposed 36.3 acres to be converted will yield approximately 79 acre-feet rather than the 102.5 acre-feet based on ET values.

It also appears that Part 2B of the application incorrectly identifies 21.6 acres in the NWSW of Section 23 rather than the NWSE of Section 23.

Looking at the polygons that were drawn as part of the ET Viewer analysis vs. the area identified to be dried up (green outlined area identified as transfer acres on map included with

application) vs. the area identified as the proposed stockwater/commercial place of use revealed some inconsistencies. You may want to refine these particular areas.

I will hold the transfer application for 30 days from the date of this letter to give you sufficient time to submit a corrected application and other documentation to the Department. If the corrected application is not received within 30 days, I will return the currently filed application to you and process a request to refund the submitted fees.

Please feel free to contact me by phone, (208) 736-3033, or by email, william.mills@idwr.idaho.gov, if you have any questions.

Sincerely,



Bill Mills
Sr. Water Resource Agent
Southern Regional Office

C: Crestview Calves LLC



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

September 17, 2020

Greg Sullivan
Brockway Engineering PLLC
2016 North Washington Street, STE 4
Twin Falls ID 83301

RE: Application for Transfer for Crestview Calves LLC

Dear Mr. Sullivan:

This letter is in reference to an application for transfer that you submitted to the Department for Crestview Calves LLC on 9/11/2020. Review of the application indicates it is incomplete and requires amending before it can be further processed. The items that need to be addressed are as follows:

An application for transfer must list all water rights for use in a common system of diversion and distribution for which the point of diversion, place of use, period of use, or nature of use are proposed to be changed. The application indicates that the water to be transferred is to be added to an existing well system that provides commercial/stockwater for multiple water rights along with adding a new well to the system. However, none of the rights in the system the converted portion of water right 36-7418 is proposed to be added to have been included in the transfer application. This can be addressed in one of two ways: either propose a separate well for the converted portion of water right 36-7418 that is not included as part of the existing system; or include all of the water rights diverted from the existing system to the transfer application. Additionally, our research indicates that there are four points of diversion listed on those rights, while there appear to only be three points of diversion in the system as indicated on the currently filed transfer. This discrepancy with the number of diversions on the existing rights in the system needs to be addressed. Note that if these additional rights are included, additional filing fees will be necessary.

The provided analysis for the conversion to commercial/stockwater from irrigation also needs to be addressed. As you are aware, when converting an irrigation right to stockwater/commercial use the Department requires that precipitation deficit (net irrigation requirement) values be utilized in the conversion rather than ET values. The ET Viewer information and conversion analysis, utilized the ET values for AF/ACRE and for the purposes of change in nature of use analysis rather than the CIR values. Note that utilizing the CIR values rather than ET values will yield less volume at the proposed CAFO. Based on CIR values it appears that the proposed 36.3 acres to be converted will yield approximately 79 acre-feet rather than the 102.5 acre-feet based on ET values.

It also appears that Part 2B of the application incorrectly identifies 21.6 acres in the NWSW of Section 23 rather than the NWSE of Section 23.

Looking at the polygons that were drawn as part of the ET Viewer analysis vs. the area identified to be dried up (green outlined area identified as transfer acres on map included with

application) vs. the area identified as the proposed stockwater/commercial place of use revealed some inconsistencies. You may want to refine these particular areas.

I will hold the transfer application for 30 days from the date of this letter to give you sufficient time to submit a corrected application and other documentation to the Department. If the corrected application is not received within 30 days, I will return the currently filed application to you and process a request to refund the submitted fees.

Please feel free to contact me by phone, (208) 736-3033, or by email, william.mills@idwr.idaho.gov, if you have any questions.

Sincerely,



Bill Mills

Sr. Water Resource Agent
Southern Regional Office

C: Crestview Calves LLC



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

September 14, 2020

Crestview Calves LLC
C/O Arlen Morgan
756 S 2800 E
Hazelton ID 83335

Dear Mr. Morgan:

You contacted us regarding an expansion of Crestview Calves LLC operations indicating that Jerome Planning and Zoning required a letter from the Department indicating that we had received a transfer application for the proposed expansion.

The Department received the transfer application on September 11, 2020. The application proposes converting 36.3 acres of irrigation water from water right 36-7418 to stock and commercial use. The application has been staffed to me and is currently under review.

If you have any questions, or need any further assistance, feel free to contact this office at your convenience.

Sincerely,

A handwritten signature in blue ink that reads "Bill Mills". The signature is fluid and cursive, with the first name "Bill" and last name "Mills" clearly distinguishable.

Bill Mills
Senior Water Resource Agent

c: Jerome County Planning and Zoning



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

SEP 11 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

September 8, 2020

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

Re: Crestview Calves LLC

Dear Mr. Skinner:

Crestview Calves LLC desires to transfer 36.3 acres of irrigation water under water right 36-7418 to stock and commercial water. The 102.5 acre feet annual volume will be used on the current CAFO facility and for a new CAFO facility that will be constructed on the property. A new well will be drilled for the new facility and the two systems will be hydraulically connected.

The ownership of the 102.5 acre feet will not be changing. The period of use and beneficial use will be changing. No ESPA model analysis was performed for this transfer because the existing wells and proposed well are within adjacent ESPA Model cells.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

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

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

Cc: Crestview Calves LLC
Enc: Transfer Application, Aerial Maps, Consumptive Use Maps, CAFO Water Use
Requirement Spreadsheet, Annual Report, Brockway Engineering Check # 16035 for
\$750.00

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506