

AUG 25 2020

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

Transfer No. 84300

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) OAK VALLEY LAND CO 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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #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.
- ☒ ☐ #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.)
- ☐ ☒ #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 Other. Please describe: _____

RECEIVED

AUG 25 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1DEPT OF WATER RESOURCES
SOUTHERN REGIONName of Applicant OAK VALLEY LAND CO LLCPhone (208) 678-1540Mailing Address 468 S 800 W, BURLEY ID 83318-5201Email maardema@magielink.com

mike.aardema@oakvalleydairy.com

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

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

☒ No Representative

Name of Representative _____

Phone _____

Mailing Address _____

Email _____

- ☐ 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

MIKE AARDEMA

Print Name and Title if applicable

8-24-20

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	45-13938	Yes	Yes	Yes	No	Yes	Yes
	45-13941	No	No	Yes	No	No	No
	45-13943	No	No	Yes	No	No	No
	45-13945	No	No	Yes	No	No	No

Associated Right(s): 45-13924 , 45-13926 , 45-13928 , 45-13930 , 45-13932 , 45-13934 , 45-13936 , 45-14306 , 45-14308 , 45-14310 , 45-14167 , 45-14169

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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.2**

Application proposes changing the nature of use from irrigation to stockwater & commercial for a 3.01 cfs portion of water right 45-13938, moving the place of use for that portion to a nearby dairy and changing the points of diversion to facilitate expansion of the dairy. Application also proposes changing the place of use for 3 stockwater & commercial rights: 45-13941; 45-13943 and 45-13945 associated with the same dairy.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-13941	1.010 cfs	236.1 af	N/A	N/A		N/A	N/A	N/A	N/A
45-13943	0.920 cfs	222.5 af	N/A	N/A		N/A	N/A	N/A	N/A
45-13945	1.240 cfs	156.2 af	N/A	N/A		N/A	N/A	N/A	N/A
45-14533	3.010 cfs	535.6 af	N/A	N/A	45-13938	1.930 cfs	430.4 af	107.6	3526.2
COMBINED TOTALS	4.980 cfs	931.2 af	N/A	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 4.98 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-13941

Current Water Right Owner

OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318-5201

Priority Date: 5/21/1962

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	1.010 CFS	236.1 AFA	
STOCKWATER	01/01	12/31	1.010 CFS	236.1 AFA	
Total Diversion			1.010 CFS	236.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E	CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	13											X						
11S	21E	24		X	X		X	X	X	X									

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	13											X						
11S	21E	24		X	X		X	X	X	X									

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-13943

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318-5201

Priority Date: 9/11/1967

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.920 CFS	222.5 AFA	
STOCKWATER	01/01	12/31	0.920 CFS	222.5 AFA	
Total Diversion			0.920 CFS	222.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E CASSIA County
GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	13											X						
11S	21E	24		X	X		X	X	X	X									

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	13											X						
11S	21E	24		X	X		X	X	X	X									

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-13945

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318-5201

Priority Date: 11/24/1981

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	1.240 CFS	156.2 AFA	
STOCKWATER	01/01	12/31	1.240 CFS	156.2 AFA	
Total Diversion			1.240 CFS	156.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E	CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	13											X						
11S	21E	24		X	X		X	X	X	X									

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	13											X						
11S	21E	24		X	X		X	X	X	X									

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes**

Original Water Right No. 45-13938

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318-5201

Priority Date: 9/6/1967

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.930 CFS	430.4 AFA	
Total Diversion			1.930 CFS	430.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENENE	Sec. 14 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S Rge 22E	CASSIA County

Describe the proposed diversion system

West well in tract

East well in tract

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	13		40.0	37.5	36.4	32.8	32.2	32.1	37.6	37.0	31.1		30.6	39.2	38.4	33.6	39.3	497.8
11S	21E	14	28.3	34.1	30.9	25.7	30.1	33.4	37.7	28.9	30.8	37.2	32.4	29.9	19.5	27.3	39.6	38.6	504.4
11S	21E	15	29.6	31.3	30.9	34.7									36.5	32.0	31.1	28.9	255.0
11S	21E	22	32.3	33.0	31.6	30.8									33.2	32.9	31.8	31.4	257.0
11S	21E	23	28.0	29.4	30.4	28.7	32.1	33.7	32.1	30.1	32.4	33.3	32.2	30.8	32.5	31.7	31.3	31.8	500.5
11S	21E	24	29.6				0.4		5.4		25.4	37.1	28.9	22.9	3.0	36.1	34.9	2.8	226.5
11S	22E	17									32.6	30.0	30.0	32.6	31.9	32.7	32.5	31.5	253.8
11S	22E	18									17.0	7.0	29.9	5.3	31.5	33.4	32.5	30.3	186.9
												L 3	L 4						
11S	22E	19		27.1	X		33.7	31.8	40.0	37.3	36.7	40.0	39.0	37.1	31.4	38.7	36.9	30.4	460.1
								L 1	L 2			L 3	L 4						
11S	22E	20	30.7	32.3	33.2	31.8					32.9	32.3	30.9	31.7	32.1	32.8	32.0	31.5	384.2

Right Acre Limit: 107.6

POU Total Acres: 3,526.2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 45-14533

(Original Water Right No. 45-13938)

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318-5201

Priority Date: 9/6/1967

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	1 /1	12/31	3.010 CFS	535.6 AFA	
STOCKWATER	1 /1	12/31	3.010 CFS	535.6 AFA	
Total Diversion			3.010 CFS	535.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E	CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	13											X						0.0
11S	21E	24		X	X		X	X	X	X									0.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	13											X						0.0
11S	21E	24		X	X		X	X	X	X									0.0

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

Four interconnected wells to dairy with required measuring devices

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

Applicant

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ 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: Security Interest held by Metropolitan Life Insurance Company

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. 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

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

Just rights listed in this transfer

- f. 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. 45-13941

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318-5201

Priority Date: 5/21/1962

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	1.010 CFS	236.1 AFA	
STOCKWATER	01/01	12/31	1.010 CFS	236.1 AFA	
Total Diversion			1.010 CFS	236.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E	CASSIA County

Place of Use: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									0.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									0.0

Conditions/Remarks:

1. Rights 45-13941 and 45-13943 when combined shall not exceed a total diversion rate of 1.93 cfs or a total annual maximum diversion volume of 248.9 af.
2. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs or a total annual maximum diversion volume of 395.6 af.
3. 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. 140.
4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Pursuant to Transfer approval 72004, the right holder shall install and maintain acceptable measuring device (s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. This right does not grant any right-of-way or easement across the land of another.
9. Commercial use is for a dairy.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. 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. 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.

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

Current Water Right No. 45-13943

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318-5201

Priority Date: 9/11/1967

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.920 CFS	222.5 AFA	
STOCKWATER	01/01	12/31	0.920 CFS	222.5 AFA	
Total Diversion			0.920 CFS	222.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E	CASSIA County
GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E	CASSIA County

Place of Use: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									0.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									0.0

Conditions/Remarks:

1. Rights 45-13941 and 45-13943 when combined shall not exceed a total diversion rate of 1.93 cfs or a total annual maximum diversion volume of 248.9 af.
2. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs or a total annual maximum diversion volume of 395.6 af.
3. 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. 140.
4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Pursuant to Transfer approval 72004, the right holder shall install and maintain acceptable measuring device (s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. This right does not grant any right-of-way or easement across the land of another.
9. Commercial use is for a dairy.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. 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. 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.

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

Current Water Right No. 45-13945

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318-5201

Priority Date: 11/24/1981

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	1.240 CFS	156.2 AFA	
STOCK WATER	01/01	12/31	1.240 CFS	156.2 AFA	
Total Diversion			1.240 CFS	156.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E	CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									0.0

Place of Use: STOCK WATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									0.0

Conditions/Remarks:

1. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs or a total annual maximum diversion volume of 395.6 af.
2. 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. 140.
3. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Pursuant to Transfer approval 72004, the right holder shall install and maintain acceptable measuring device (s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. This right does not grant any right-of-way or easement across the land of another.
8. Commercial use is for a dairy.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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. 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.

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

Current Water Right No. 45-13938

Current Water Right Owner

OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318-5201

Priority Date: 9/6/1967

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	4.940 CFS	1102.0 AFA	
Total Diversion			4.940 CFS	1102.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NENENW	Sec. 19 Twp 11S Rge 22E	CASSIA County
GROUND WATER	SENENE	Sec. 14 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S Rge 22E	CASSIA County

Describe the proposed diversion system

West well in tract

East well in tract

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	13		40.0	37.5	36.4	32.8	32.2	32.1	37.6	37.0	31.1	29.9	30.6	39.2	38.4	33.6	39.3	527.7
11S	21E	14	28.3	34.1	30.9	25.7	30.1	33.4	37.7	28.9	30.8	37.2	32.4	29.9	19.5	27.3	39.6	38.6	504.4
11S	21E	15	29.6	31.3	30.9	34.7									36.5	32.0	31.1	28.9	255.0
11S	21E	22	32.3	33.0	31.6	30.8									33.2	32.9	31.8	31.4	257.0
11S	21E	23	30.0	31.4	32.4	30.7	32.1	33.7	32.1	30.1	32.4	33.3	32.2	30.8	32.5	31.7	31.3	31.8	508.5
11S	21E	24	29.6				0.4		5.4		25.4	37.1	28.9	22.9	3.0	36.1	34.9	2.8	226.5
11S	22E	17									32.6	30.0	30.0	32.6	31.9	32.7	32.5	31.5	253.8
11S	22E	18									17.0	7.0	29.9	5.3	31.5	33.4	32.5	30.3	186.9
												L 3	L 4						
11S	22E	19		27.1	X		33.7	31.8	40.0	37.3	36.7	40.0	39.0	37.1	31.4	38.7	36.9	30.4	460.1
								L 1	L 2			L 3	L 4						
11S	22E	20	30.7	32.3	33.2	31.8	31.3	32.4	33.6	32.7	32.9	32.3	30.9	31.7	32.1	32.8	32.0	31.5	514.2

Right Acre Limit: 275.5

POU Total Acres: 3,694.1

Conditions/Remarks:

1. 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 140.
2. This right is limited to the irrigation of 275.5 acres within the place of use described above in a single irrigation season.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

Conditions/Remarks:

3. Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-14306, 45-14308, 45-14310, 45-14167 and 45-14169 when combined shall not exceed a total diversion rate of 42.56 cfs, a total annual maximum diversion volume of 12569.6 af at the field headgate, and the irrigation of 3694.1 acres.
4. Rights 45-13936 and 45-13938 when combined shall not exceed the irrigation of 473.2 acres.
5. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Pursuant to Transfer approval 77316, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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. 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.
12. This right does not grant any right-of-way or easement across the land of another.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Transfer No. 84300

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If 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 you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

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

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on its right side, suggesting it's resting on a surface.

Transfer Contains 19 pages and attachments.

Received By HA Date 8/25/20 Prelim. Check By _____ Date _____
 Fee Paid \$1070 Date 8/25/20 Received By SG Receipt # 5084 5038100
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

Attachment 8A

- Analysis from AgTec indicates that 670.9 acre-feet per year needed for stockwater and 259.45 acre-feet per year needed for commercial use for a total of 930.35 acre-feet needed for dairy expansion.
- Existing water rights at dairy allow for 395.6 acre-feet per year. Therefore, 534.75 acre-feet of additional water is needed for dairy expansion.
- 2016 FSA crop records indicate that alfalfa was grown on 167.9 acres of land identified in transfer application to be dried up. University of Idaho's ETIdaho website indicates that the precipitation deficit value for an acre of alfalfa in the Burley area is 3.19 acre-feet per year.
- $167.9 \text{ acres} \times 3.19 \text{ acre-feet per year}$ results in 535.6 acre-feet per year.

536.6 acre-feet > 534.75 acre-feet

Mills, Bill

From: Skinner, Corey
Sent: Monday, July 13, 2020 2:53 PM
To: Mills, Bill
Subject: FW: Oak Valley Dairy Letter
Attachments: Agtec Water Use sheet Oakvalley 1 070920.pdf

Can you take care of this?

Thanks,

Corey

From: Matthew Thompson [mailto:matthewthompson1993@gmail.com]
Sent: Monday, July 13, 2020 10:49 AM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: Oak Valley Dairy Letter

Oak Valley Dairy is currently working on an application with Cassia County and one of the items they ask for is a writing from IDWR about water rights and if they are adequate for the facility. I have attached a water use estimate for the facility.

The facility has the following water rights listed on page 4 of the estimate:

Existing Water Rights		Diversion rate	Volume	Limits	
		cfs	gal/day	acre/ft/year	acre/ft/year
45-	13945	1.24		156.2	395.6
	13943	0.92		222.5	
	13941	1.01		236.1	
		1.97		395.6	

The estimated total need for the facility expansion is 930 acre feet.

We have identified water right 45-13932 as having the acreage needed for transfer to the operation to provide the additional water. It would require drying up 167 acres of the right to provide the additional 537 acre feet of volume.

Right #	Total Acres	cfs	AFA	Acres Used	Acres Needed	Acres Remaining	% Used	AcFt Transferred	cfs Transferred	Re
45-13932	566	9.61	2264	167.00	166.14	399.00	29.51%	537.49	1.00	

If you can write a letter for the operation or direct this information to someone who can we would appreciate it. You can send your letter to the address below or the facility attorney at

Brandon T. Berrett

Wright Brothers Law Office, PLLC

1440 Blue Lakes Blvd. N.

P.O. Box 5678

Twin Falls, Idaho 83303-5678

You can also send a pdf of the letter to this email.

Thanks

--

Matthew W Thompson P.E.
1993 Tamarack Loop
Twin Falls, ID 83301
(208) 731-8640 cell

Dairy Water Use Requirements

Date 7/10/2020



Owner/Operator Info

Name: Mike Aardema Address: 468 South 800 West Telephone: 0
County: Cassia City: Burley State: 0 Zip Code: 0

Facility Info

Name: Oak Valley Dairy 1,2,3 & 4 Address: 800 West 500 South Telephone: 0
County: Cassia City: Burley State: 0 Zip Code: 0

Dairy Stock Water Requirements

Animal Type	# of Animals	Animal Weight (lbs)	Animal Units	Drinking Requirement (gal/hd/day)	Drinking Requirement (gal/day)	Total Drinking (acft/yr)	Reference
Lactating cow 10	8,800	1,000	8,800.0	33.4	293,618	328.89	Modified Kertz Equation, A.F. Kertz, Ralston Purina Company
Lactating cow 10	8,730	1,000	8,730.0	33.4	291,282	326.28	Modified Kertz Equation, A.F. Kertz, Ralston Purina Company
Dry Cow 10	1,200	1,000	1,200.0	11.7	14,031	15.72	Water Partitioning and Intake Prediction in Dry and Lactating Holstein Cows, L.B. Heiter & W.E. Urban, Jr. Journal of Dairy Science 1992
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
Totals	18,730		18,730.0		598,930	670.89	

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

670.9
0.93



Wash Water Sizing

Wash Water Sizing	Barn 2 100R	Barn 4	Barn 3	Barn 2 100R Breakdown below
# Cows milked	6,000	4,730	200	6000
Stantions/side	50	60	10	100
Strings/milking	120	79	20	
Milkings per Day	3	3	2	2.5 milkings/day
Cow Prep.	3,750	7,095	0	3750 gal/day
Bulk Tank	4,500	3,000	300	4500 gal/day
Pipelines	1,875	1,500	240	1875 gal/day
Claw Back flush	14,850	0	0	14850 gal/day
Parlor Hand Washdown	4,500	3,600	800	4500 gal/day
Deck Sprays	0	11,825	0	16560 gal/day
Deck Flush	0	15,000	0	27600 gal/day
Holding Pen Flush	0	0	0	gal/day
Holding Pen Hand Washdown	0	3,600	0	4500 gal/day
Sprinkler Pen Water Use	0	0	0	11850 gal/day
Milk Room Cleaning	300	400	100	300 gal/day
Water Trough Cleaning	789	0	0	789 gal/day
Miscellaneous	61510.0	0	0	1000 gal/day
	92,074	46,020	1,440	92074 Total Parlor gal/day
Yearly Parlor Wash Volume	84,536,920 Gallons/year			Notes
Yearly Parlor Wash Volume	259.45 Acre Ft/year			
Commercial Diversion Rate	0.358 CFS			

Recyclable Water Use

	Barn 2 100R	Barn 4	Barn 1
Milking Parlor Throughput	675	525	675 Cows/hr
Time Milking Per Day	22.2	27.0	22.2 hours/day
Plate Cooler Water Use	53,333	43,786	53,333 Gal/day
Water Cooled Compressor	-	-	- Gal/day
Water Cooled Vacuum Pump	-	-	- Gal/day
	53,333	43,786	53,333 Total Cooling Parlor Volume/day in gallons

Water Use Evaluation

Clean Water Use	150453 Gal/day
Cow Drinking water use	598930 Gal/day
Commercial Parlor Use	231608 Gal/day
Net Excess Cooling Water	0 Gal/day
Yearly Parlor Cooling Volume (amount exceeding that recycled)	0.0 Acre Ft/year



Total Facility Water Use Requirements

Stock water Requirement
Commercial Parlor Use
Additional Cooling Use

670.9 Acre Ft/yr
259.5 Acre Ft/yr
0.0 Acre Ft/yr

Gallons per day per animal unit
44.3 gal/au/day

Water Use Estimate

930.3 Acre Ft/yr

Safety Factor

1.0 SF

Total Water Use Estimate

930.3 Acre Ft/yr

Total Diversion Rate

1.29 Cubic Feet/Second (CFS)

576.8 GPM

(this diversion rate is the minimum rate required to pump the
above water use estimate 24/7/365)

Existing Water Rights		Diversion rate cfs	Volume gal/day	Limits acre/ft/year	
45-	13945	1.24		156.2	395.6
	13943	0.92		222.5	
	13941	1.01		236.1	
		1.97		395.6	

Consumptive Use Calculations

FSA Crop	Year	Station	Mean GS mm	Acft	Acres Needed
Alfalfa	2019	Burley	981	3.22	166.14

Water Rights Affected

Right #	Total Acres	cfs	AFA	Acres Used	Acres Needed	Acres Remaining	% Used	AcFt Transferred	cfs Transferred	cfs Remaining	% of Right
45-13932	566	9.61	2264	157.00	166.14	409.00	27.74%	505.31	1.00	8.61	10.41%
						0.00	#DIV/0!	0.00	#DIV/0!	#DIV/0!	#DIV/0!
						0.00	#DIV/0!	0.00	#DIV/0!	#DIV/0!	#DIV/0!



Totals	566	9.61	2264	157.00	0.00	#DIV/0!	0.00	#DIV/0!	#DIV/0!	#DIV/0!
					% Used					

58.30 acft Transferred

Combined Rights	CFS	AcFt	Net AcFt Transferred	Acres Remaining	Trimester
Original Use Combined	9.61	2264		409.00	
Dried up Portion	1.00	628.0	505.3		
Remaining 43-13932	8.61	1636.0	505.31	409.00	
43-13932sc	1	505.31			

References:

Cattle drinking requirements were calculated using published information from industry accepted sources or from table data. Typically the highest use estimate is reported with the corresponding source of information. In some cases the designer will override the source values. In those cases an overridden value may include an explanation for the override.

The following sources were evaluated for the milking and dry cow herds.

Fresh Water Needs for Dairy Farms, Dean Faulk U of I Extension Specialist

Water Intake and Quality for Dairy Cattle, Richard S. Adams & William E. Sharpe, Department of Dairy and Animal Science, Pennsylvania State University

Modified Kertz Equation, A.F. Kertz, Ralston Purina Company

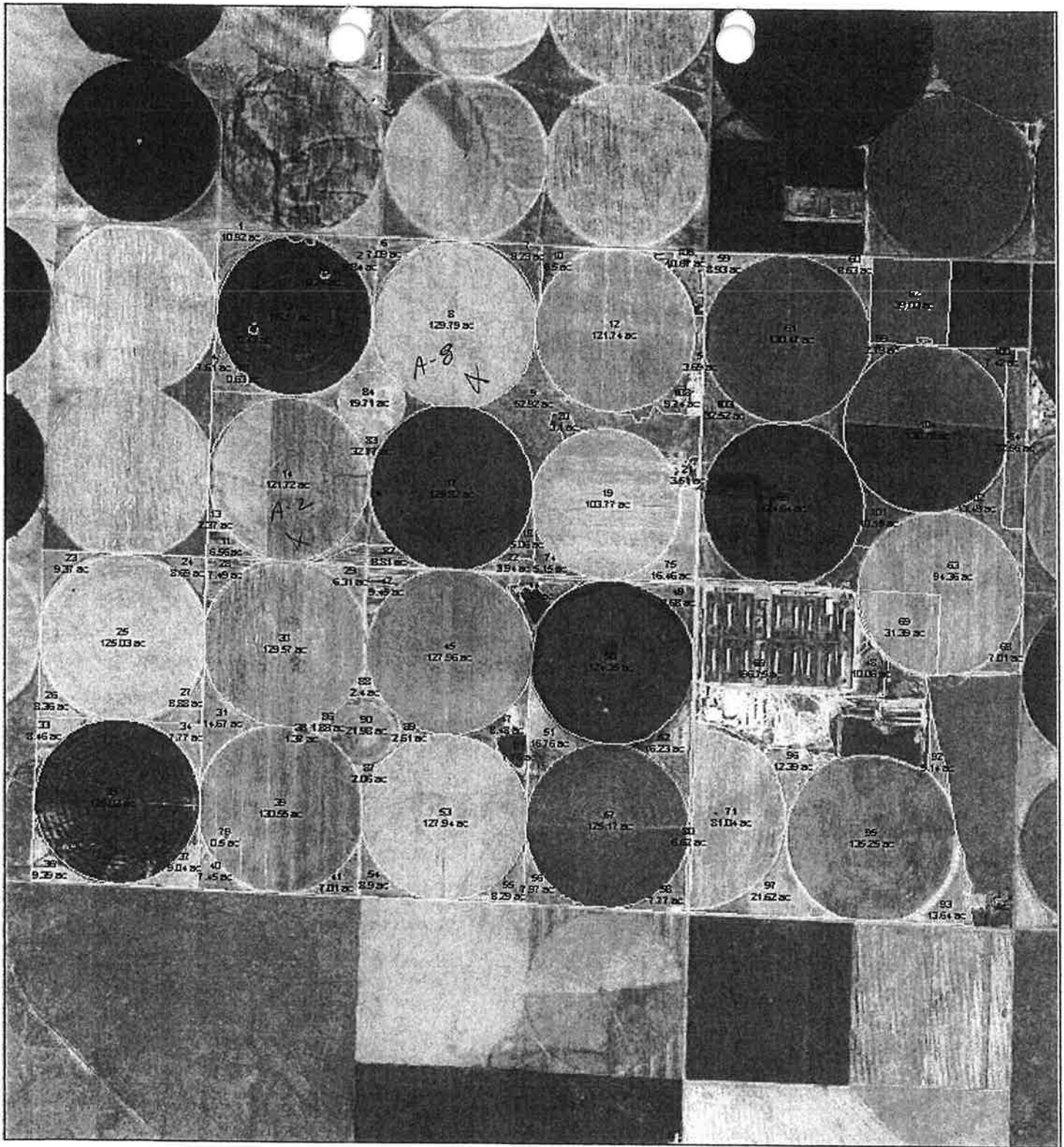
Water Partitioning and Intake Prediction in Dry and Lactating Holstein Cows, J. B. Holter & W.E. Urban Jr., Journal of Dairy Science 1992

The following sources were evaluated for animals other than milking and dry cows.

Fresh Water Needs for Dairy Farms, Dean Faulk U of I Extension Specialist

Water Intake and Quality for Dairy Cattle, Richard S. Adams & William E. Sharpe, Department of Dairy and Animal Science, Pennsylvania State University

Water Requirements of Livestock, Daniel Ward & Kevin McKague, Ministry of Agriculture Food & Rural Affairs, May 2007



United States Department of Agriculture
Farm Service Agency

June 04, 2014

Farm: 5051
Tract: 9660

Cassia County, ID
1:26,185



Disclaimer: 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 wetland boundaries and determinations, or contact NRCS.

Transfer 84300

SA - 578 (Producer Print)

REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

Producer Name and Address

OREGON TRAIL FARMS

66 VISTA LN

BURLEY, ID 83318-5453

DATE: 08/17/2020

PAGE: 3

BURLEY, ID 83318-3433																								
Farm	Tract	CLU/ Field	Crop/ Comm	Var/ Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Planting Date	P/P Date	End Date	Producer Share	Producer Name	RMA Unit	NAP Unit	Signature Date	Field ID	
Planting Period	Crop/ Commodity	Var/ Type	Irrigation Practice	Int Use	Rpt Unit	Reported Quantity	Determined Quantity	Prevented Reported Quantity	Prevented Determined Quantity	Experimental Reported Quantity	Experimental Determined Quantity	Volunteer Reported Quantity	Volunteer Determined Quantity	N/A Reported Quantity	N/A Determined Quantity									
01	CORN	YEL	I	FG	A	552.65																		
Farm	Tract	CLU/ Field	Crop/ Comm	Var/ Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Planting Date	P/P Date	End Date	Producer Share	Producer Name	RMA Unit	NAP Unit	Signature Date	Field ID	
5051	221	4	CORN	YEL	FG		I	C	N	I	A	151.38		Yes	5/23/16	01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
Photo Number/Legal Description: N14 S16 T11 R22												Farmland: 165.91		Cropland: 164.31				Reported on Cropland: 151.38		Difference: -12.93		Reported on Non-Cropland: 0.00		
5051	426	3	ALFAL		FG		I	C	N	I	A	62.84		Yes	5/25/11	01		100.00	OREGON TRAIL FARMS		1929	12/24/15		
		5	ALFAL		FG		I	C	N	I	A	56.28		Yes	5/25/11	01		100.00	OREGON TRAIL FARMS		1929	12/24/15		
		14	CORN	YEL	FG		I	C	N	I	A	62.03		Yes	5/22/16	01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
Photo Number/Legal Description: N14 S15,16 T11 R22												Farmland: 388.93		Cropland: 366.87				Reported on Cropland: 181.15		Difference: -185.72		Reported on Non-Cropland: 0.00		
5051	8973	1	GRASS	ORG	GZ		I	C	N	I	A	36.13		Yes	4/10/16	01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
		20	ALFAL		FG		I	C	N	I	A	129.73		Yes	5/26/16	01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
		30	CORN	YEL	FG		I	C	N	I	A	125.93		Yes	5/13/16	01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
Photo Number/Legal Description: M14 M16 S17,18,20 T11 R22												Farmland: 755.49		Cropland: 702.29				Reported on Cropland: 291.79		Difference: -410.50		Reported on Non-Cropland: 0.00		
5051	9325	6A	GRASS	ORG	GZ		I	C	N	I	A	31.00		Yes	5/1/16	01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
		6B	FALOW				N	C	N	I	A	94.95		Yes		01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
		8	FALOW				N	C	N	I	A	16.73		Yes		01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
		19	ALFAL		FG		I	C	N	I	A	124.74		Yes	5/5/16	01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
		29	FALOW				N	C	N	I	A	9.67		Yes		01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
		31A	GRASS	ORG	GZ		I	C	N	I	A	8.00		Yes	5/1/16	01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
		31B	FALOW				N	C	N	I	A	7.22		Yes		01		100.00	OREGON TRAIL FARMS		1929	6/30/16		
Photo Number/Legal Description: M16 S19,20 T11 R22												Farmland: 816.99		Cropland: 798.86				Reported on Cropland: 292.31		Difference: -506.55		Reported on Non-Cropland: 0.00		

Transfer 84300 (3 pgs)

BURLEY, ID 83318-5453

PROGRAM YEAR: 2016

PAGE: 4

Photo Number/Legal Description: K12 S1,2 T11 R21 Farmland: 475.51 Cropland: 473.02 Reported on Cropland: 126.49 Difference: -346.53 Reported on Non-Cropland: 0.00

Planting Period	Crop/ Commodity	Var/ Type	Irrigation Practice	Int Use	Rpt Unit	Reported Quantity	Determined Quantity	Prevented Reported Quantity	Prevented Determined Quantity	Experimental Reported Quantity	Experimental Determined Quantity	Volunteer Reported Quantity	Volunteer Determined Quantity	N/A Reported Quantity	N/A Determined Quantity
01	ALFAL		I	FG	A	623.11									
01	CORN	YEL	I	FG	A	668.03									
01	FALLOW		N		A	132.44									
01	GRASS	ORG	I	GZ	A	75.13									
01	TRICL		I	SD	A	22.56									

[illegible]

PROGRAM YEAR: 2016

REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

DATE: 08/17/2020

PAGE: 6

(Producer Print)

Producer Name and Address

KUNAU FARMS
66 VISTA LN
BURLEY, ID 83318-5453

Farm	Tract	CLU/ Field	Crop/ Comm	Var/ Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Planting Date	P/P End Date	Producer Share	Producer Name	RMA Unit	NAP Unit	Signature Date	Field ID
5051	9660	41	BARLY	SPR	GR		N	C	N	I	A	7.01		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		42	FALLOW				N	C	N	I	A	9.45		Yes		01	100.00	KUNAU FARMS		1927	6/30/16	
		43	BARLY	SPR	GR		N	C	N	I	A	2.48		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		45	CORN	YEL	FG		I	C	N	I	A	127.96		Yes	5/18/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		47	BARLY	SPR	GR		N	C	N	I	A	8.48		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		49	FALLOW				N	C	N	I	A	8.68		Yes		01	100.00	KUNAU FARMS		1927	6/30/16	
		51	BARLY	SPR	GR		N	C	N	I	A	16.76		Yes	3/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		52A	BARLY	SPR	GR		N	C	N	I	A	8.00		Yes	3/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		52B	FALLOW				N	C	N	I	A	8.23		Yes		01	100.00	KUNAU FARMS		1927	6/30/16	
		53	CORN	YEL	FG		I	C	N	I	A	127.94		Yes	5/18/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		54	BARLY	SPR	GR		N	C	N	I	A	8.90		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		55	BARLY	SPR	GR		N	C	N	I	A	8.29		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		56	BARLY	SPR	GR		N	C	N	I	A	7.97		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		58	BARLY	SPR	GR		N	C	N	I	A	7.77		Yes	3/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		59	BARLY	SPR	GR		N	C	N	I	A	8.93		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		60	BARLY	SPR	GR		N	C	N	I	A	8.63		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		61	CORN	YEL	FG		I	C	N	I	A	130.47		Yes	5/17/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		62	BARLY	SPR	GR		I	C	N	I	A	39.03		Yes	4/10/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		63	CORN	YEL	FG		I	C	N	I	A	94.36		Yes	5/28/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		* 65	ALFAL	FG			I	C	N	I	A	124.64		Yes	4/27/13	01	100.00	KUNAU FARMS		1927	12/24/15	
		68	BARLY	SPR	GR		N	C	N	I	A	7.01		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		74A	FALLOW				N	C	N	I	A	2.15		Yes		01	100.00	KUNAU FARMS		1927	6/30/16	
		74B	ALFAL		FG		I	C	N	I	A	3.00		Yes	5/1/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		75	ALFAL		FG		I	C	N	I	A	16.46		Yes	5/1/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		82	FALLOW				N	C	N	I	A	8.81		Yes		01	100.00	KUNAU FARMS		1927	6/30/16	
		83	BARLY	SPR	GR		N	C	N	I	A	32.77		Yes	3/10/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		84	CORN	YEL	FG		I	C	N	I	A	19.71		Yes	4/29/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		86	BARLY	SPR	GR		N	C	N	I	A	1.88		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		87	BARLY	SPR	GR		N	C	N	I	A	2.06		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		88	BARLY	SPR	GR		N	C	N	I	A	2.40		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		89	BARLY	SPR	GR		N	C	N	I	A	2.61		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		90	CORN	YEL	FG		I	C	N	I	A	21.98		Yes	5/18/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		92	BARLY	SPR	GR		N	C	N	I	A	5.14		Yes	3/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		93	BARLY	SPR	GR		N	C	N	I	A	13.64		Yes	3/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		95	CORN	YEL	FG		I	C	N	I	A	135.25		Yes	5/24/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		96	BARLY	SPR	GR		N	C	N	I	A	12.39		Yes	3/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		97	BARLY	SPR	GR		N	C	N	I	A	21.62		Yes	3/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		99	BARLY	SPR	GR		N	C	N	I	A	2.79		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		101	BARLY	SPR	GR		N	C	N	I	A	10.15		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		102	BARLY	SPR	GR		N	C	N	I	A	13.49		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		103	BARLY	SPR	GR		N	C	N	I	A	32.52		Yes	4/30/16	01	100.00	KUNAU FARMS		1927	6/30/16	
		104	CORN	YEL	FG		I	C	N	I	A	130.78		Yes	5/27/16	01	100.00	KUNAU FARMS		1927	6/30/16	



University of Idaho

Kimberly Research
and Extension Center

[Water Resources Program](#)

ETIdaho 2017

**Evapotranspiration and Consumptive
Irrigation Water Requirements
for Idaho**

Please send suggestions for
improving this site to robison at
uidaho dot edu

2020-08-17 15:37

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Burley FAA AP (NWS -- USW00024133)

Statistics based on thirty year normal spans 1985 to 2016 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Alfalfa - frequent cuttings Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ⁱ	mm/day												mm		
Monthly ^c	-0.13	0.13	0.48	3.06	4.87	5.39	5.95	5.41	4.07	2.60	0.25	-0.28	981	-8	973
15-Day Moving Average ^d	-0.24	0.07	0.39	3.13	5.01	5.32	5.74	5.25	3.92	2.69	0.21	-0.21			
7-Day Moving Average ^e	-0.18	0.09	0.44	3.08	4.94	5.30	5.85	5.34	4.00	2.67	0.24	-0.27			
3-Day Moving Average ^f	-0.14	0.13	0.46	3.08	4.88	5.33	5.92	5.40	4.05	2.61	0.26	-0.30			

3.19 AF

Transfer 84300 (4 pgs)

<http://data.kimberly.uidaho.edu/ETIdaho/stcврstats.py?station=17&cover=2&stats=Deficit> 8/17/2020

Standard Deviation ^k	mm/day												mm		
Monthly ^c	0.63	0.30	0.87	1.45	1.91	1.11	0.80	0.91	0.80	1.64	0.51	0.67	99	22	100
15-Day Moving Average ^d	0.78	0.48	0.73	1.62	2.06	1.75	1.33	1.47	1.30	1.43	0.76	0.60			
7-Day Moving Average ^e	1.04	0.73	0.97	1.97	2.68	2.27	1.96	2.00	1.72	1.74	1.07	0.89			
3-Day Moving Average ^f	1.29	1.00	1.41	2.41	3.37	2.72	2.31	2.36	2.22	2.10	1.44	1.33			
20% Exceedance ^l	mm/day												mm		
Monthly ^c	0.19	0.38	0.67	4.15	5.92	6.23	6.38	5.80	4.73	3.58	0.59	-0.03	1075	9	1056
15-Day Moving Average ^d	0.55	0.65	1.19	5.73	8.30	8.01	7.91	7.66	5.91	4.75	1.22	0.51			
7-Day Moving Average ^e	0.95	1.24	2.31	6.49	9.21	9.39	9.03	8.43	6.85	5.72	1.92	0.87			
3-Day Moving Average ^f	1.19	1.87	3.36	7.85	10.25	9.93	9.72	9.13	7.56	6.35	2.98	1.24			
80% Exceedance ^m	mm/day												mm		
Monthly ^c	-0.56	-0.04	0.00	1.73	3.47	4.40	5.54	5.04	3.38	1.43	-0.08	-0.55	873	-25	873
15-Day Moving Average ^d	-1.24	-0.47	-0.49	0.67	1.99	2.57	3.88	3.07	2.04	0.53	-0.74	-1.12			
7-Day Moving Average ^e	-2.27	-1.00	-1.37	-0.17	-0.21	1.41	2.23	1.64	1.02	-0.46	-1.71	-2.78			
3-Day Moving Average ^f	-4.57	-2.31	-3.62	-2.02	-5.73	-1.36	0.91	1.02	-0.84	-2.90	-4.48	-6.05			
Ave Highest P _{def}	mm/day												--		
15-Day Moving Average ^g	0.38	0.44	1.04	4.09	6.57	6.89	7.30	6.72	5.13	3.63	0.95	0.28			
7-Day Moving Average ^h	0.75	0.93	1.87	5.34	7.97	8.10	8.35	7.81	6.22	4.41	1.55	0.63			
3-Day Moving Average ⁱ	1.04	1.42	2.63	6.49	9.16	9.22	9.25	8.69	7.15	5.19	2.20	0.90			
Ave Lowest P _{def}	mm/day												--		
15-Day Moving Average ^g	-0.65	-0.25	-0.16	2.13	3.17	3.75	4.38	3.76	2.88	1.67	-0.42	-0.71			
	-1.44	-0.71	-0.76	1.05	1.09	2.29	2.72	2.36	1.83	0.82	-1.17	-1.50			

7-Day Moving Average ^h															
3-Day Moving Average ⁱ	-2.75	-1.60	-2.13	-0.68	-2.52	0.92	1.76	1.30	0.28	-1.01	-2.64	-3.09			
Special normal distribution parameters for monthly, seasonal, and annual intervals															
Skew ^m	-0.49	-1.22	0.56	-0.01	-0.20	-0.51	-0.39	-0.75	-0.73	-0.06	0.44	-0.87	-0.44	-1.60	-0.54
Kurtosis ^o	1.04	5.37	1.23	2.31	0.66	2.71	1.04	2.27	3.27	0.54	5.04	2.73	2.72	6.18	3.23

^a Growing Season: This is usually the time from green up or planting in the spring to a killing frost or harvest in the fall. It is not applicable for entries without a growing season and will be blank.

^b Nongrowing Season: This is usually the time from a killing frost or harvest in the fall to the of green up in the spring. It is not applicable for entries without a growing season.

^c Mean of the average daily value for month

^d Mean of the fourteen 15-day period averages contained in the month

^e Mean of the twenty three 7-day period averages contained in the month

^f Mean of the twenty seven 3-day period averages contained in the month

^g Mean of the highest/lowest 15-day period average in month

^h Mean of the highest/lowest 7-day period average in month

ⁱ Mean of the highest/lowest 3-day period average in month

^j This value represents the *mean value* for the parameter for the month over the 'normal' period of record. Generally, the 'normal' period is the last thirty years with data.

^k This value represents the *standard deviation* for the parameter for the month over the 'normal' period.

^l This value represents the *value* for the parameter that has a 20% chance of being exceeded that month during any particular year. Conversely, there is an 80% chance that the parameter value will be less than the *value* shown.

^m This value represents the *value* for the parameter that has a 80% chance of being exceeded that month during any particular year. Conversely, there is an 20% chance that the parameter value will be less than the *value* shown.

ⁿ This value represents the *skewness (asymmetry) of the distribution of the parameter values* for the month (year) over the 'normal' period. A value near zero indicates that the distribution approximates a normal (Gaussian) and

symmetrical distribution. A negative skew indicates that the parameter distribution has relatively few low values compared to high values. A positive skew indicates that the distribution has relatively few high values compared to the number of low values. A skew value near 1 indicates that the underlying distribution approximates a lognormal distribution.

° This value represents the *kurtosis* of the parameter value distribution for the month (year) over the 'normal' period. Kurtosis is a measurement of the height to width ratio of the probability distribution, or the *peakedness (slenderness)*. A normal (Gaussian) distribution has a kurtosis of 3. A high kurtosis distribution has a sharper peak and longer tails, while a low kurtosis distribution has a more rounded peak and shorter tails.

This work and report were prepared by the University of Idaho Research and Extension Center at Kimberly, Idaho under contract with the Idaho Department of Water Resources. Work was supported by funding from IDWR and the Idaho Agricultural Experiment Station and Idaho Engineering Experiment Station. The authors gratefully acknowledge the long-term evapotranspiration data collection and long-standing advice provided by Dr. James L. Wright, USDA-ARS Kimberly (ret.), the more than two decades of high quality agricultural weather data collection by the U.S. Bureau of Reclamation AgriMet system, and the very long-standing, routine data collection by the hundreds of cooperative weather station volunteers across the state who, for more than one-hundred years, have faithfully observed daily air temperature and precipitation.

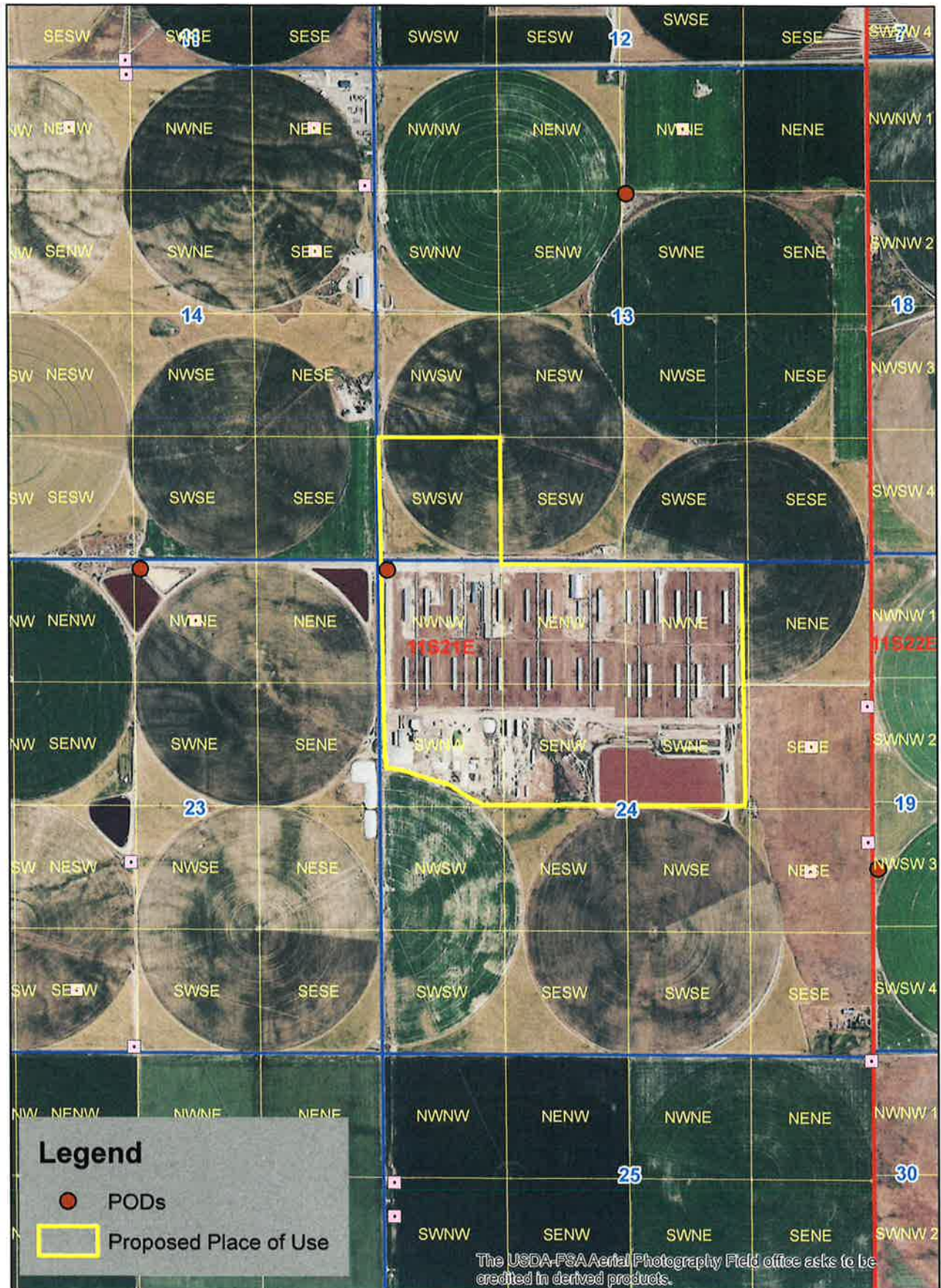
*The citation for the evapotranspiration data used from this site should be: Allen, Richard G. and Clarence W. Robison, 2017. **Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through December 2016**, Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Moscow, ID.*

Questions regarding the data should be addressed to [Richard G. Allen](#), or [Clarence W. Robison](#) University of Idaho, Kimberly Research and Extension Center, 3793 North 3600 East, Kimberly, ID 83341. Telephone (208)-423-6610

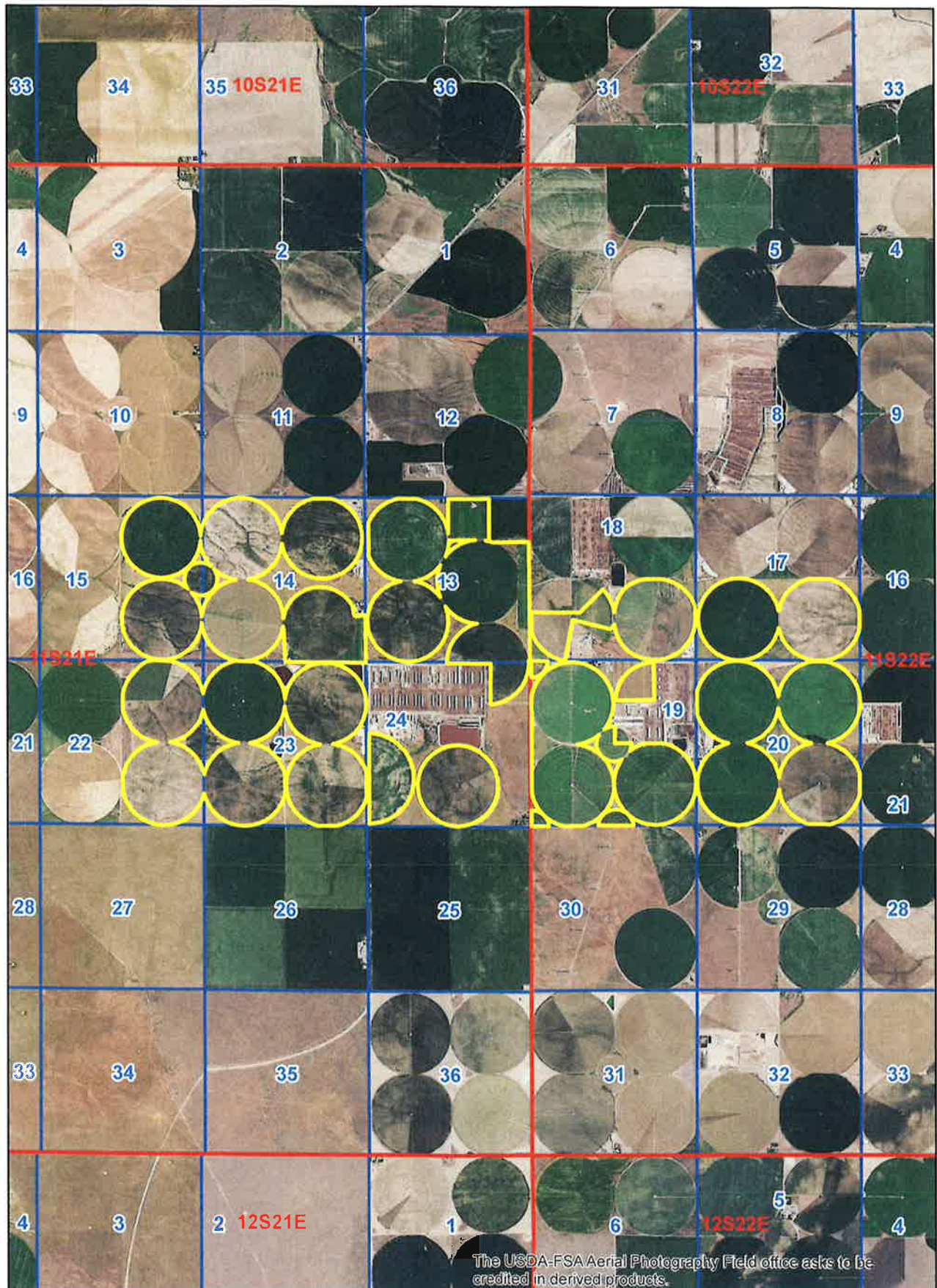
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ETIdaho web site powered by [Debian](#), [Apache](#), [Firebird DBMS](#), [Python](#)

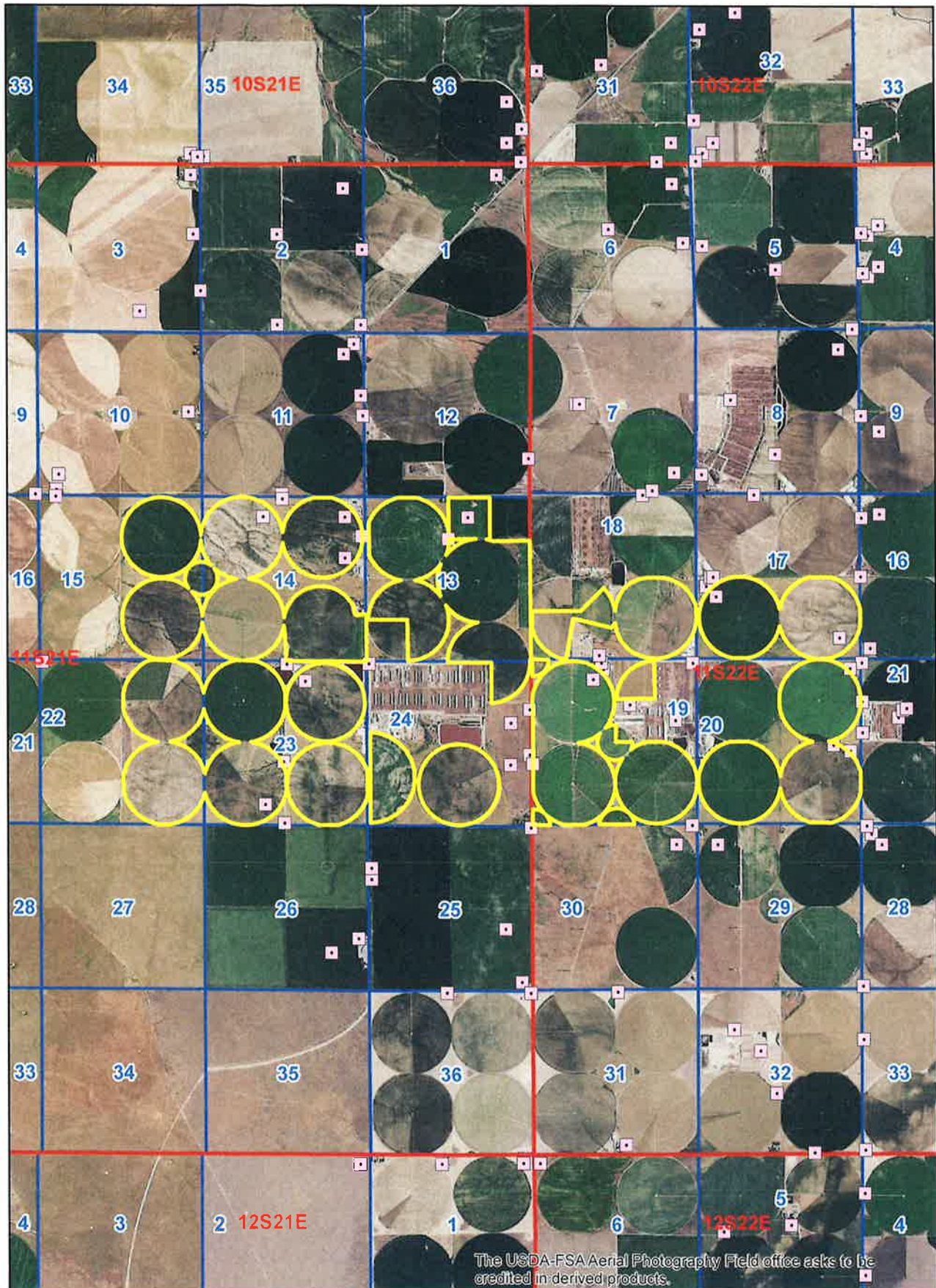
Attachment 7A



Attachment 7B(1): Current Irrigation POU



Attachment 7B(2): Irrigation POU Post Transfer





0003839939

**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 #: 0003839939

Date Filed: 4/8/2020 8:56:23 AM

Entity Name and Mailing Address:

OAK VALLEY LAND COMPANY, L.L.C.

The file number of this entity on the records of the Idaho Secretary of State is: 0000131151

Address 468 S 800 W
BURLEY, ID 83318-5201

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: W39598

The registered agent on record is:

Registered Agent MIKE AARDEMA
Registered Agent
Physical Address
4109 HIDDEN LAKES DR
KIMBERLY, ID 83341
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
MIKE AARDEMA	Member	4109 HIDDEN LAKES DR KIMBERLY, ID 83341

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

Joyce Tvrdy

Sign Here

04/08/2020

Date

Job Title: Office Manager

B0501-3023 04/08/2020 8:56 AM Received by ID Secretary of State Lawrence Denney



RECEIVED

SEP 03 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

Western Regional Office
Agricultural Finance
MetLife Investment Management
205 E. River Park Circle, Ste. 430
Fresno, CA 93720

Leon A. Moreno
Regional Director
Phone: (559) 470-6450
Email: lmoreno@metlife.com

Jonathan B. Dressler
Assistant Regional Director
Phone: (559) 470-6458
Email: jdressler@metlife.com

Robert Frudden
Phone: (559) 470-6448
Email: robert.frudden@metlife.com

August 31, 2020

Oak Valley Dairy
Oak Valley Land Company
Mike and Sarah Aardema
468 S 800 West
Burley, ID 83318

Re Metropolitan Life Insurance Company ("MetLife") Loan Nos. 197438, 197439, 197834, 197438, 199605 and 200858 – Oak Valley Dairy, L.L.C. and Oak Valley Land Company, L.L.C. (collectively, the "Borrower")

Mike and Sarah,

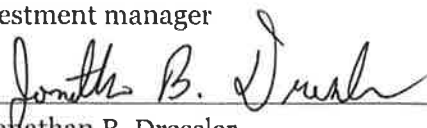
MetLife holds a security interest in certain water right numbers (the "Water Rights") in Cassia County, Idaho in connection with the above referenced loans. You have requested that MetLife consent to the transfer and/or combined use of certain Water Rights as described in the State of Idaho Department of Water Resources Application for Transfer of Water Rights ("Application").

This letter serves as written acknowledgement and consent to the transfer and/or combined use of Water Rights as identified in the Application to be filed by the Borrower for each of the Water Rights listed therein and as follows:

Water Rights: 45-13941, 45-13943
45-13945, 45-13938
45-14533

Metropolitan Life Insurance Company,
a New York corporation

By: MetLife Investment Management, LLC,
its investment manager

By: 
Jonathan B. Dressler
Authorized Signatory and Director

cc: Kassie Kampen
Clear Creek Land and Mortgage

Transfer 84300



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 11, 2020

OAK VALLEY LAND CO LLC
468 S 800 W
BURLEY, ID 83318-5201

RE: Transfer No. 84300
Water Right No(s). 45-13938, 45-13941, 45-13943, 45-13945

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 9/17/2020 and 9/24/2020**. 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 **October 5, 2020**

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
Administrative Assistant

c: Metropolitan Life Insurance Company, c/o MetLife Investment Management LLC

Maline, Denise

From: Maline, Denise
Sent: Friday, September 11, 2020 11:28 AM
To: Adam Mc Coy (WD140)
Subject: Comment Letter for Transfer 84300 Oak Valley Land Co LLC
Attachments: Comment Letter to WD140 for 84300.docx; Transfer #84300 Oak Valley Land Co.pdf

Hi Adam,

Attached is an Application for Transfer currently being processed within your District. Please review the information and provide any necessary comments within 21 days.

Feel free to contact our office if you have any questions regarding this application.

Thank you,

Denise @ IDWR

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



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Brad Little
Governor

Gary Spackman
Director

September 11, 2020

WATER DISTRICT 140
ADAM MC COY
355 W 500 S
BURLEY ID 83318-5229

RE: Application for Transfer No. 84300 (Oak Valley Land Co LLC)

Dear Adam:

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, September 10, 2020 4:44 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 September 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.

Please send the affidavit of publication and invoice to the address below.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



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Brad Little
Governor

Gary Spackman
Director

September 10, 2020

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84160

Water Right No(s). 43-13023, 43-13269, 43-2342, 43-2543

RE: Transfer No. 84300

Water Right No(s). 45-13938, 45-13941, 45-13943, 45-13945

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before October 5, 2020. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84160**

RAFT RIVER LAND & LIVESTOCK LLC, PO BOX 584, RUPERT, ID 83350-0584 has filed Application No. 84160 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13023, 43-13269, 43-2342, 43-2543. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to combine the place of use of two adjacent farms, where four ground water rights will irrigate 552.0 acres with a combined flow rate of 10.31 cfs, located approximately 11.0 to 12.5 miles north and 0.8 to 1.8 miles west of Malta. In addition, the transfer proposes to add the existing point of diversion from the two rights on each farm to the other farm's rights, and add a new well to all four rights. The new well will be located approximately 12.0 miles north and 1.7 miles west of Malta. After the transfer, the four ground water rights will be authorized to divert up to 10.31 cfs from three wells.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84300**

OAK VALLEY LAND CO LLC, 468 S 800 W, BURLEY, ID 83318-5201 has filed Application No. 84300 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13938, 45-13941, 45-13943, 45-13945. 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 167.9 acre portion (3.01 cfs) of a 275.5 acre (4.94 cfs) irrigation ground water right, that is currently diverted from 8 wells within a 3694.1 acre permissible place of use located approximately 4.6 to 6.6 miles south and 5.0 to 9.5 miles west of the intersection of Hwy 30 and Hwy 27 in Burley. The proposed change of nature of use will be from irrigation to commercial & stockwater use for the expansion of an existing dairy facility. The application proposes diverting from four existing wells at the dairy. Application also proposes changing the place of use for three commercial & stockwater ground water rights (1.97 cfs total) as part of a proposed expansion of the dairy facility located approximately 5.2 to 6.1 miles south and 7.3 to 8.1 miles west of the intersection of Hwy 30 and Hwy 27 in Burley.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **October 5, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on September 17th & 24th, 2020

M E M O R A N D U M

Date: September 8, 2020
To: Transfer 84300 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 167.9 acre portion (3.01 cfs) of a 275.5 acre (4.94 cfs) irrigation ground water right that is currently diverted from 8 wells within a 3694.1 acre permissible place of use located approximately 4.6 to 6.6 miles south and 5.0 to 9.5 miles west of the intersection of Hwy 30 and Hwy 27 in Burley. The proposed change of nature of use will be from irrigation to commercial/stockwater use for the expansion of an existing dairy facility. The application proposes diverting from four existing wells at the dairy. Application also proposes changing the place of use for three commercial/stockwater ground water rights (1.97 cfs total) as part of a proposed expansion of the dairy facility located approximately 5.2 to 6.1 miles south and 7.3 to 8.1 miles west of the intersection of Hwy 30 and Hwy 27 in Burley.

MEMORANDUM

Date: September 8, 2019
To: Transfer 84300 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #84300 are based on the current transfer fee schedule and are set at \$820.00 for the 4.97 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 No. S038100).

Mills, Bill

From: Brandon Berrett <bberrett@wrightbrotherslaw.com>
Sent: Thursday, September 03, 2020 7:13 PM
To: Mills, Bill
Subject: RE: Comment Letter from IDWR Regarding Proposed Dairy Expansion At Oak Valley Dairy
Attachments: Oak Valley Consent Letter - water conversion.pdf

Bill,

In connection with the Application for Transfer of Water Right recently filed in connection with the below referenced expansion of the dairy facility owned by Oak Valley Land Company, L.L.C., attached is a consent letter from the party holding a security interest in the subject water rights.

Please let us know if you need an original copy of the letter, or if we need to direct the letter to a different person at IDWR.

Regards.
Brandon

Brandon T. Berrett
Wright Brothers Law Office, PLLC
1440 Blue Lakes Blvd. N.
P.O. Box 5678
Twin Falls, Idaho 83303-5678
(208) 733-3107
(208) 733-1669 (fax)
www.wrightbrotherslaw.com

Please note our new address.

We inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used by any taxpayer, for the purpose of avoiding tax penalties or promoting, marketing or recommending to another party any transaction or matter addressed herein.

This message and any attachments may be protected by the attorney/client privilege. If you believe that it has been sent to you in error, do not read, copy or distribute it. Please reply to the sender that you have received the message in error and then delete it. Thank you.

From: Mills, Bill <William.Mills@idwr.idaho.gov>
Sent: Tuesday, July 14, 2020 9:25 AM
To: Brandon Berrett <bberrett@wrightbrotherslaw.com>; matthewthompson1993@gmail.com; maardema@magiclink.com
Subject: Comment Letter from IDWR Regarding Proposed Dairy Expansion At Oak Valley Dairy

Please find attached the Idaho Department of Water Resources comment letter addressed to Matthew Thompson in regards to a proposed expansion at the dairy facility owned by Oak Valley Land Co LLC. Please note that I have also emailed this letter to Cassia County Building & Zoning in a separate email.

Sincerely,

Bill Mills

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Brad Little
Governor

Gary Spackman
Director

July 14, 2020

Matthew Thompson
1993 Tamarack Loop
Twin Falls, ID 83301

Dear Mr. Thompson:

You recently contacted the Department of Water Resources with an analysis regarding a proposed dairy expansion on properties owned by Oak Valley Land Co. LLC located in Cassia County.

Your analysis indicated that the facility will need a total of 930 acre feet of water to facilitate the proposed expansion and existing water use at the facility. The analysis then selected a specific irrigation water right, 45-13932, to dry up 167 acres and 537 acre feet of irrigation use and convert it to commercial use at the facility.

The Department's analysis indicates your calculations are very close to what would be required to convert the nature of use from irrigated acres to commercial use at the facility. Based on the annual precipitation deficit for alfalfa – frequent cuttings from the Burley FAA AP weather station reported on the University of Idaho's ETIdaho 2017 website (annual precipitation deficit = 3.19 af), 168.3 acres would need to be dried up to obtain the desired additional 537 acre feet for conversion.

The selected water right to use in the conversion may be somewhat problematic as there is an expansion right associated with that right, 45-13934 and that would require the drying up of an additional 53.0 acres of irrigated ground under that water right to facilitate the conversion. I have looked at the irrigation rights in use at the facility and I would like to suggest that you select one of the following rights to avoid having to dry up additional acres beyond the required 168.3 acres: 45-13936 or 45-13938. It should be noted there may also be other water rights that are associated with the facility that could also be utilized without having to include associated expansion rights.

Upon review, the Department has no objections to the proposed dairy expansion provided an application for transfer is filed with the department seeking to convert the additional 537 acre feet of irrigation water to commercial use prior to the proposed expansion and total water use remains within the limits of the water rights appurtenant to the facility.

If you have any questions, or if I can be of any further assistance, feel free to contact our office at your convenience.

Sincerely,

Bill Mills
Sr. Water Resource Agent
Idaho Department of Water Resources
Southern Region

c: Cassia County Building & Zoning; Wright Brothers Law Office, PLLC; Oak Valley Land Co LLC

Mills, Bill

From: Mills, Bill
Sent: Tuesday, July 14, 2020 9:14 AM
To: 'dzanone@cassiacounty.org'
Subject: Comment Letter from IDWR Regarding Proposed Dairy Expansion At Oak Valley Dairy
Attachments: Oak Valley Land Co LLC Proposed Expansion.pdf

Please find attached the Idaho Department of Water Resources comment letter addressed to Matthew Thompson in regards to a proposed expansion at the dairy facility owned by Oak Valley Land Co LLC.

Sincerely,

Bill Mills

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

Mills, Bill

From: Mills, Bill
Sent: Tuesday, July 14, 2020 9:25 AM
To: 'bberrett@wrightbrotherslaw.com'; 'matthewthompson1993@gmail.com';
'maardema@magiclink.com'
Subject: Comment Letter from IDWR Regarding Proposed Dairy Expansion At Oak Valley Dairy
Attachments: Oak Valley Land Co LLC Proposed Expansion.pdf

Please find attached the Idaho Department of Water Resources comment letter addressed to Matthew Thompson in regards to a proposed expansion at the dairy facility owned by Oak Valley Land Co LLC. Please note that I have also emailed this letter to Cassia County Building & Zoning in a separate email.

Sincerely,

Bill Mills

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

Mills, Bill

From: Skinner, Corey
Sent: Monday, July 13, 2020 2:53 PM
To: Mills, Bill
Subject: FW: Oak Valley Dairy Letter
Attachments: Agtec Water Use sheet Oakvalley 1 070920.pdf

Can you take care of this?

Thanks,

Corey

From: Matthew Thompson [mailto:matthewthompson1993@gmail.com]
Sent: Monday, July 13, 2020 10:49 AM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: Oak Valley Dairy Letter

Oak Valley Dairy is currently working on an application with Cassia County and one of the items they ask for is a writing from IDWR about water rights and if they are adequate for the facility. I have attached a water use estimate for the facility.

The facility has the following water rights listed on page 4 of the estimate:

Existing Water Rights		Diversion rate	Volume	Limits	
		cfs	gal/day	acre/ft/year	acre/ft/year
45-	13945	1.24		156.2	395.6
	13943	0.92		222.5	
	13941	1.01		236.1	
		1.97		395.6	

The estimated total need for the facility expansion is 930 acre feet.

We have identified water right 45-13932 as having the acreage needed for transfer to the operation to provide the additional water. It would require drying up 167 acres of the right to provide the additional 537 acre feet of volume.

Right #	Total Acres	cfs	AFA	Acres Used	Acres Needed	Acres Remaining	% Used	AcFt Transferred	cfs Transferred	Re
45-13932	566	9.61	2264	167.00	166.14	399.00	29.51%	537.49	1.00	

If you can write a letter for the operation or direct this information to someone who can we would appreciate it. You can send your letter to the address below or the facility attorney at

Brandon T. Berrett

Wright Brothers Law Office, PLLC

1440 Blue Lakes Blvd. N,

P.O. Box 5678

Twin Falls, Idaho 83303-5678

You can also send a pdf of the letter to this email.

Thanks

--

Matthew W Thompson P.E.
1993 Tamarack Loop
Twin Falls, ID 83301
(208) 731-8640 cell

Dairy Water Use Requirements

Date 7/10/2020



Owner/Operator Info

Name: Mike Aardema Address: 468 South 800 West Telephone: 0
 County: Cassia City: Burley State: 0 Zip Code: 0

Facility Info

Name: Oak Valley Dairy 1,2,3 & 4 Address: 800 West 500 South Telephone: 0
 County: Cassia City: Burley State: 0 Zip Code: 0

Dairy Stock Water Requirements

Animal Type	# of Animals	Animal Weight (lbs)	Animal Units	Drinking Requirement (gal/hd/day)	Drinking Requirement (gal/day)	Total Drinking (acft/yr)	Reference
Lactating cow 10	8,800	1,000	8,800.0	33.4	293,618	328.89	Modified Kertz Equation, A.F. Kertz, Ralston Purina Company
Lactating cow 10	8,730	1,000	8,730.0	33.4	291,282	326.28	Modified Kertz Equation, A.F. Kertz, Ralston Purina Company
Dry Cow 10	1,200	1,000	1,200.0	11.7	14,031	15.72	Water Partitioning and Intake Prediction in Dry and Lactating Holstein Cows, J. B. Holter & W.F. Urban Jr., Journal of Dairy Science 1992
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
Totals	18,730		18,730.0		598,930	670.89	

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

670.9
 0.93



Wash Water Sizing

	Barn 2 100R	Barn 4	Barn 3	Barn 2 100R Breakdown below
# Cows milked	6,000	4,730	200	6000
Stations/side	50	60	10	100
Strings/milking	120	79	20	
Milkings per Day	3	3	2	2.5 milkings/day
Cow Prep.	3,750	7,095	0	3750 gal/day
Bulk Tank	4,500	3,000	300	4500 gal/day
Pipelines	1,875	1,500	240	1875 gal/day
Claw Back flush	14,850	0	0	14850 gal/day
Parlor Hand Washdown	4,500	3,600	800	4500 gal/day
Deck Sprays	0	11,825	0	16560 gal/day
Deck Flush	0	15,000	0	27600 gal/day
Holding Pen Flush	0	0	0	gal/day
Holding Pen Hand Washdown	0	3,600	0	4500 gal/day
Sprinkler Pen Water Use	0	0	0	11850 gal/day
Milk Room Cleaning	300	400	100	300 gal/day
Water Trough Cleaning	789	0	0	789 gal/day
Miscellaneous	61510.0	0	0	1000 gal/day
	92,074	46,020	1,440	92074 Total Parlor gal/day
Yearly Parlor Wash Volume		84,536,920	Gallons/year	Notes
Yearly Parlor Wash Volume		259.45	Acre Ft/year	0
Commercial Diversion Rate		0.358	CFS	

Recyclable Water Use

	Barn 2 100R	Barn 4	Barn 1	
Milking Parlor Throughput	675	525	675	Cows/hr
Time Milking Per Day	22.2	27.0	22.2	hours/day
Plate Cooler Water Use	53,333	43,786	53,333	Gal/day
Water Cooled Compressor	-	-	-	Gal/day
Water Cooled Vacuum Pump	-	-	-	Gal/day
	53,333	43,786	53,333	Total Cooling Parlor Volume/day in gallons

Water Use Evaluation

Clean Water Use	150453	Gal/day
Cow Drinking water use	598930	Gal/day
Commercial Parlor Use	231608	Gal/day
Net Excess Cooling Water	0	Gal/day
Yearly Parlor Cooling Volume (amount exceeding that recycled)	0.0	Acre Ft/year



Total Facility Water Use Requirements

Stock water Requirement
Commercial Parlor Use
Additional Cooling Use

670.9 Acre Ft/yr
259.5 Acre Ft/yr
0.0 Acre Ft/yr

Gallons per day per animal unit
44.3 gal/au/day

Water Use Estimate

930.3 Acre Ft/yr

Safety Factor

1.0 SF

Total Water Use Estimate

930.3 Acre Ft/yr

Total Diversion Rate

1.29 Cubic Feet/Second (CFS)

576.8 GPM

(this diversion rate is the minimum rate required to pump the
above water use estimate 24/7/365)

Existing Water Rights		Diversion rate	Volume	Limits	
		cfs	gal/day	acre/ft/year	acre/ft/year
45-	13945	1.24		156.2	395.6
	13943	0.92		222.5	
	13941	1.01		236.1	
		1.97		395.6	

Consumptive Use Calculations

FSA Crop	Year	Station	Mean GS mm	Acft	Acres Needed
Alfalfa	2019	Burley	981	3.22	166.14

Water Rights Affected

Right #	Total Acres	cfs	AFA	Acres Used	Acres Needed	Acres Remaining	% Used	AcFt Transferred	cfs Transferred	cfs Remaining	% of Right
45-13932	566	9.61	2264	157.00	166.14	409.00	27.74%	505.31	1.00	8.61	10.41%
						0.00	#DIV/0!	0.00	#DIV/0!	#DIV/0!	#DIV/0!
						0.00	#DIV/0!	0.00	#DIV/0!	#DIV/0!	#DIV/0!

Totals	566	9.61	2264	157.00	0.00	#DIV/0!	0.00	#DIV/0!	#DIV/0!	#DIV/0!	
					% Used						
					58.30 acft Transferred						



Combined Rights	CFS	AcFt	Net AcFt Transferred	Acres Remaining	Trimester
Original Use Combined	9.61	2264		409.00	
Dried up Portion	1.00	628.0	505.3		
Remaining 43-13932	8.61	1636.0	505.31	409.00	
43-13932sc	1	505.31			

References:

Cattle drinking requirements were calculated using published information from industry accepted sources or from table data. Typically the highest use estimate is reported with the corresponding source of information. In some cases the designer will override the source values. In those cases an overridden value may include an explanation for the override.

The following sources were evaluated for the milking and dry cow herds.

Fresh Water Needs for Dairy Farms, Dean Faulk U of I Extension Specialist

Water Intake and Quality for Dairy Cattle, Richard S. Adams & William E. Sharpe, Department of Dairy and Animal Science, Pennsylvania State University

Modified Kertz Equation, A.F. Kertz, Ralston Purina Company

Water Partitioning and Intake Prediction in Dry and Lactating Holstein Cows, J. B. Holter & W.E. Urban Jr., Journal of Dairy Science 1992

The following sources were evaluated for animals other than milking and dry cows.

Fresh Water Needs for Dairy Farms, Dean Faulk U of I Extension Specialist

Water Intake and Quality for Dairy Cattle, Richard S. Adams & William E. Sharpe, Department of Dairy and Animal Science, Pennsylvania State University

Water Requirements of Livestock, Daniel Ward & Kevin McKague, Ministry of Agriculture Food & Rural Affairs, May 2007