STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83910

This is to certify that: G5 LAND COMPANY LLC
1310 S 600 W
OAKLEY, ID 83346-9759

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
45-14377	WR/DECREED	5/1/1882	0.320 cfs	N/A	78.2	113.0	MILL CREEK
45-14379	WR/DECREED	4/1/1960	1.300 cfs	N/A	90.0	113.0	MILL CREEK
45-14381	WR/DECREED	12/31/1879	0.110 cfs	N/A	35.9	113.0	MILL CREEK
45-2363	WR/DECREED	2/6/1951	1.000 cfs	308.0 af	90.0	113.0	GROUND WATER
45-660	WR/DECREED	4/1/1894	1.110 cfs	N/A	N/A	166.0	MILL CREEK
45-663	WR/DECREED	4/1/1894	0.330 cfs	N/A	N/A	74.0	MILL CREEK
45-680	WR/DECREED	12/31/1879	1.150 cfs	2.7 af	N/A	74.0	MILL CREEK
45-688	WR/DECREED	12/31/1879	2.210 cfs	2.7 af	N/A	166.0	MILL CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-14377	NO	NO	YES	NO	NO	NO
45-14379	NO	NO	YES	NO	NO	NO
45-14381	NO	NO	YES	NO	NO	NO
45-2363	NO	NO	YES	NO	NO	NO
45-660	NO	NO	YES	NO	NO	NO
45-663	NO	NO	YES	NO	NO	NO
45-680	NO	NO	YES	NO	NO	NO
45-688	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-14377	45-14377	0.320 cfs	N/A	78.2	330.0	N/A	N/A	N/A	N/A	N/A
45-14379	45-14379	1.300 cfs	N/A	90.0	330.0	N/A	N/A	N/A	N/A	N/A
45-14381	45-14381	0.110 cfs	N/A	35.9	330.0	N/A	N/A	N/A	N/A	N/A
45-2363	45-2363	1.000 cfs	308.0 af	90.0	330.0	N/A	N/A	N/A	N/A	N/A
45-660	45-660	1.110 cfs	N/A	166.0	330.0	N/A	N/A	N/A	N/A	N/A
45-663	45-663	0.330 cfs	N/A	74.0	330.0	N/A	N/A	N/A	N/A	N/A
45-680	45-680	1.150 cfs	2.7 af	74.0	330.0	N/A	N/A	N/A	N/A	N/A
45-688	45-688	2.210 cfs	2.7 af	166.0	330.0	N/A	N/A	N/A	N/A	N/A

SUPPORT DATA
IN FILE # 45-660

Transfer No. 83910

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83910

COMBINED TOTALS	**7.530 cfs**	**N/A**	**330.0**	**330.0**	**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 3rd day of April, 2020.

Southern Region Manager

WATER RIGHT NO. 45-2363

As Modified by Transfer No. 83910

In accordance with the approval of Transfer No. 83910, Water Right No. 45-2363 is now described as follows:

Right Holder: NATHAN ROBINSON AND
KAYDEE ROBINSON
PO BOX 118
OAKLEY, ID 83346

Priority Date: 2/6/1951

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	1.000 cfs	308.0 af
				1.000 cfs	308.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec 36 Twp 13S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							3.6	4.1	35.8	32.3	35.5	30.3			31.0		172.6
14S	22E	2		32.4	35.7	2.9	38.1	29.7	15.9	0.4						2.3			157.4
				L 2			L 3	L 4											

Right Acre Limit: 90.0
POU Total Acres: 330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.

2. Rights 45-14377, 45-14379, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.

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. Rights 45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379 and 45-14381 when combined shall not exceed a total diversion rate of 7.53 cfs and the irrigation of 330 acres.

WATER RIGHT NO. 45-2363

As Modified by Transfer No. 83910

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

6. 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 place of use.

7. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than May 6, 2005

9. Use of this right is combined with water from Mill Creek.

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 Idaho Code § 42-1412(6), 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.

WATER RIGHT NO. 45-660

As Modified by Transfer No. 83910

In accordance with the approval of Transfer No. 83910, Water Right No. 45-660 is now described as follows:

Right Holder: G5 LAND COMPANY LLC
1310 S 600 W
OAKLEY, ID 83346-9759

Priority Date: 4/1/1894

Source: MILL CREEK **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	1.110 cfs
				1.110 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NWNESE Sec 36 Twp 13S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							3.6	4.1	35.8	32.3	35.5	30.3			31.0		172.6
14S	22E	2		32.4	35.7	2.9	38.1	29.7	15.9	0.4						2.3			157.4
				L 2			L 3	L 4											

Right Acre Limit: 166.0
POU Total Acres: 330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 166 acres within the authorized place of use in a single irrigation season.
2. Rights 45-660 and 45-688 when combined shall not exceed the irrigation of 166 acres.
3. Rights 45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379 and 45-14381 when combined shall not exceed a total diversion rate of 7.53 cfs and the irrigation of 330 acres.
4. Use of water under this right may 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. 45A.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 45-660

As Modified by Transfer No. 83910

CONDITIONS OF APPROVAL

6. 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 place of use.

7. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. 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. Pursuant to Idaho Code § 42-1412(6), 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.

WATER RIGHT NO. 45-688

As Modified by Transfer No. 83910

In accordance with the approval of Transfer No. 83910, Water Right No. 45-688 is now described as follows:

Right Holder: G5 LAND COMPANY LLC
1310 S 600 W
OAKLEY, ID 83346-9759

Priority Date: 12/31/1879

Source: MILL CREEK **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	2.210 cfs	
STOCKWATER	01/01	to	12/31	0.050 cfs	2.7 af
				2.210 cfs	2.7 af

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NWNESE Sec 36 Twp 13S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							3.6	4.1	35.8	32.3	35.5	30.3			31.0		172.6
14S	22E	2		32.4	35.7	2.9	38.1	29.7	15.9	0.4						2.3			157.4
				L 2			L 3	L 4											

Right Acre Limit: 166.0
POU Total Acres: 330.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							X	X	X	X	X	X			X		
14S	22E	2		X	X	X	X	X	X	X						X			
				L 2			L 3	L 4											0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 166 acres within the authorized place of use in a single irrigation season.
2. Rights 45-660 and 45-688 when combined shall not exceed the irrigation of 166 acres.
3. Rights 45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379 and 45-14381 when combined shall not exceed a total diversion rate of 7.53 cfs and the irrigation of 330 acres.

Transfer No. 83910

WATER RIGHT NO. 45-688

As Modified by Transfer No. 83910

CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 45A.

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

6. 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 place of use.

7. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. 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. Pursuant to Idaho Code § 42-1412(6), 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.

WATER RIGHT NO. 45-663

As Modified by Transfer No. 83910

In accordance with the approval of Transfer No. 83910, Water Right No. 45-663 is now described as follows:

Right Holder: G5 LAND COMPANY LLC
1310 S 600 W
OAKLEY, ID 83346-9759

Priority Date: 4/1/1894

Source: MILL CREEK **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	0.330 cfs
				0.330 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NWNESE Sec 36 Twp 13S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							3.6	4.1	35.8	32.3	35.5	30.3			31.0		172.6
14S	22E	2		32.4	35.7	2.9	38.1	29.7	15.9	0.4						2.3			157.4
				L 2			L 3	L 4											

Right Acre Limit: 74.0
POU Total Acres: 330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 74 acres within the authorized place of use in a single irrigation season.
2. Rights 45-663 and 45-680 when combined shall not exceed the irrigation of 74 acres.
3. Rights 45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379 and 45-14381 when combined shall not exceed a total diversion rate of 7.53 cfs and the irrigation of 330 acres.
4. Use of water under this right may 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. 45A.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 83910

WATER RIGHT NO. 45-663

As Modified by Transfer No. 83910

CONDITIONS OF APPROVAL

6. 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 place of use.

7. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. 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. Pursuant to Idaho Code § 42-1412(6), 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.

WATER RIGHT NO. 45-680

As Modified by Transfer No. 83910

In accordance with the approval of Transfer No. 83910, Water Right No. 45-680 is now described as follows:

Right Holder: G5 LAND COMPANY LLC
1310 S 600 W
OAKLEY, ID 83346-9759

Priority Date: 12/31/1879

Source: MILL CREEK **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	1.150 cfs	
STOCKWATER	01/01	to	12/31	0.050 cfs	2.7 af
				1.150 cfs	2.7 af

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NWNESE Sec 36 Twp 13S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							3.6	4.1	35.8	32.3	35.5	30.3			31.0		172.6
14S	22E	2		32.4	35.7	2.9	38.1	29.7	15.9	0.4						2.3			157.4
				L 2			L 3	L 4											

Right Acre Limit: 74.0
POU Total Acres: 330.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							X	X	X	X	X	X			X		
14S	22E	2		X	X	X	X	X	X	X						X			
				L 2			L 3	L 4											0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 74 acres within the authorized place of use in a single irrigation season.
2. Rights 45-663 and 45-680 when combined shall not exceed the irrigation of 74 acres.
3. Rights 45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379 and 45-14381 when combined shall not exceed a total diversion rate of 7.53 cfs and the irrigation of 330 acres.

Transfer No. 83910

WATER RIGHT NO. 45-680

As Modified by Transfer No. 83910

CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 45A.

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

6. 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 place of use.

7. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. 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. Pursuant to Idaho Code § 42-1412(6), 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.

WATER RIGHT NO. 45-14377

As Modified by Transfer No. 83910

In accordance with the approval of Transfer No. 83910, Water Right No. 45-14377 is now described as follows:

Right Holder: NATHAN ROBINSON AND
KAYDEE ROBINSON
PO BOX 118
OAKLEY, ID 83346

Priority Date: 5/1/1882

Source: MILL CREEK **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	0.320 cfs
				0.320 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NESE Sec 36 Twp 13S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							3.6	4.1	35.8	32.3	35.5	30.3			31.0		172.6
14S	22E	2		32.4	35.7	2.9	38.1	29.7	15.9	0.4						2.3			157.4
				L 2			L 3	L 4											

Right Acre Limit: 78.2
POU Total Acres: 330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 78.2 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14377, 45-14379, and 45-14381 when combined shall not exceed a total diversion rate of 1.73 cfs and the irrigation of 90 acres.
3. Rights 45-14377, 45-14379, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.
4. Rights 45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379 and 45-14381 when combined shall not exceed a total diversion rate of 7.53 cfs and the irrigation of 330 acres.
5. 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. 45A.

Transfer No. 83910

WATER RIGHT NO. 45-14377

As Modified by Transfer No. 83910

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

7. 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 place of use.

8. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

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 Idaho Code § 42-1412(6), 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.

WATER RIGHT NO. 45-14379

As Modified by Transfer No. 83910

In accordance with the approval of Transfer No. 83910, Water Right No. 45-14379 is now described as follows:

Right Holder: NATHAN ROBINSON
KAYDEE ROBINSON
PO BOX 118
OAKLEY, ID 83346

Priority Date: 4/1/1960

Source: MILL CREEK **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	1.300 cfs
				1.300 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NESE Sec 36 Twp 13S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							3.6	4.1	35.8	32.3	35.5	30.3			31.0		172.6
14S	22E	2		32.4	35.7	2.9	38.1	29.7	15.9	0.4						2.3			157.4
				L 2			L 3	L 4											

Right Acre Limit: 90.0
POU Total Acres: 330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14377, 45-14379, and 45-14381 when combined shall not exceed a total diversion rate of 1.73 cfs and the irrigation of 90 acres.
3. Rights 45-14377, 45-14379, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.
4. Rights 45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379 and 45-14381 when combined shall not exceed a total diversion rate of 7.53 cfs and the irrigation of 330 acres.
5. 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. 45A.

Transfer No. 83910

WATER RIGHT NO. 45-14379

As Modified by Transfer No. 83910

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

7. 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 place of use.

8. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

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 Idaho Code § 42-1412(6), 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.

WATER RIGHT NO. 45-14381

As Modified by Transfer No. 83910

In accordance with the approval of Transfer No. 83910, Water Right No. 45-14381 is now described as follows:

Right Holder: NATHAN ROBINSON
KAYDEE ROBINSON
PO BOX 118
OAKLEY, ID 83346

Priority Date: 12/31/1879

Source: MILL CREEK **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	0.110 cfs	
STOCKWATER	01/01	to	12/31	0.020 cfs	1.2 af
				0.110 cfs	

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NESE Sec 36 Twp 13S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							3.6	4.1	35.8	32.3	35.5	30.3			31.0		172.6
14S	22E	2		32.4	35.7	2.9	38.1	29.7	15.9	0.4						2.3			157.4
				L 2			L 3	L 4											

Right Acre Limit: 35.9
POU Total Acres: 330.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	35							X	X	X	X	X	X			X		
14S	22E	2		X	X	X	X	X	X	X						X			
				L 2			L 3	L 4											0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 35.9 acres within the authorized place of use in a single irrigation season.

2. Rights 45-14377, 45-14379 and 45-14381 when combined shall not exceed a total diversion rate of 1.73 cfs and the irrigation of 90 acres.

Transfer No. 83910

WATER RIGHT NO. 45-14381

As Modified by Transfer No. 83910

CONDITIONS OF APPROVAL

3. Rights 45-14377, 45-14379, 45-14381 and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.

4. Rights 45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379 and 45-14381 when combined shall not exceed a total diversion rate of 7.53 cfs and the irrigation of 330 acres.

5. 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. 45A.

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

7. 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 place of use.

8. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

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.

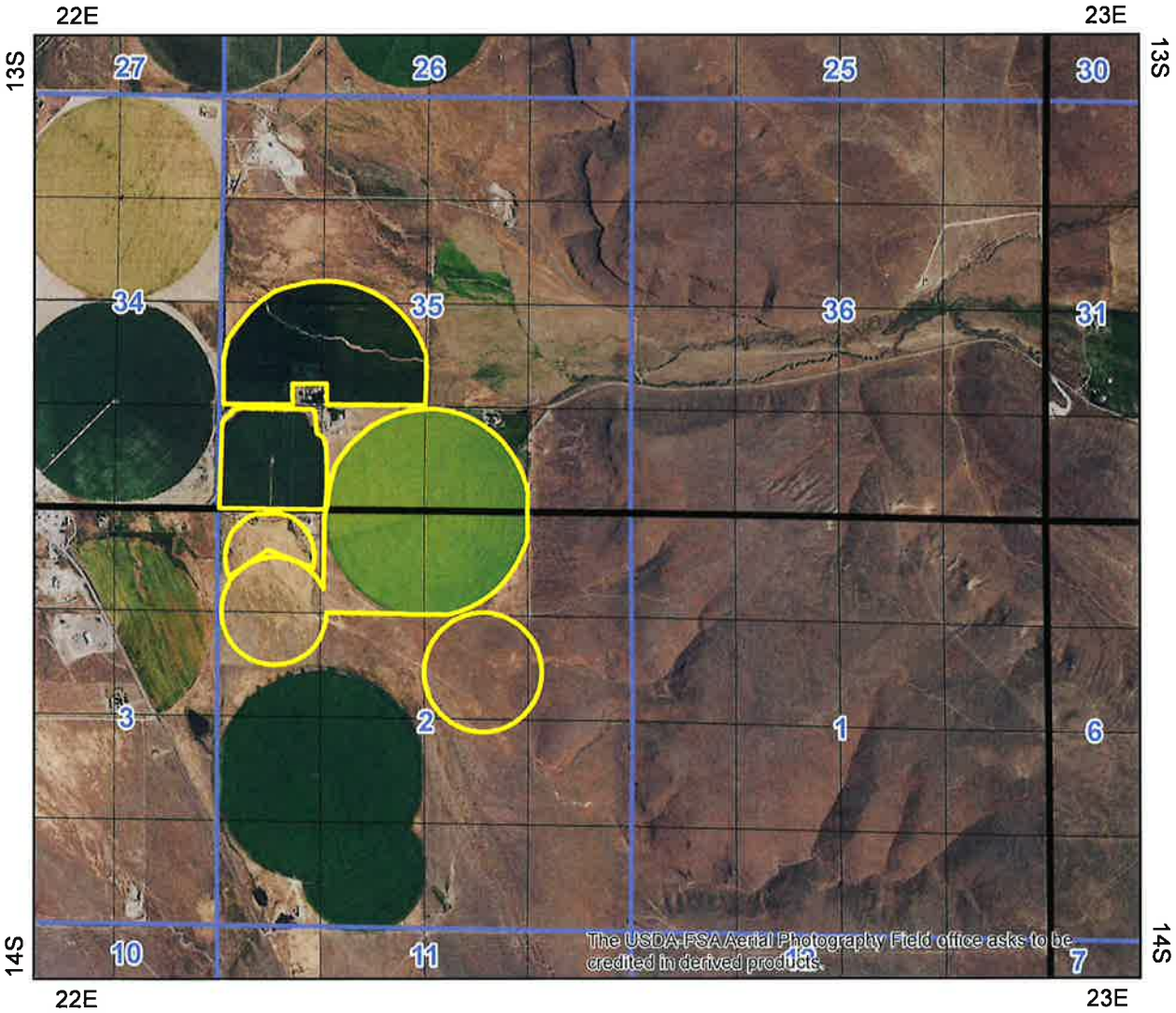
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer # 83910

45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379 and 45-14381

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.275 0.55 1.1 Miles

Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

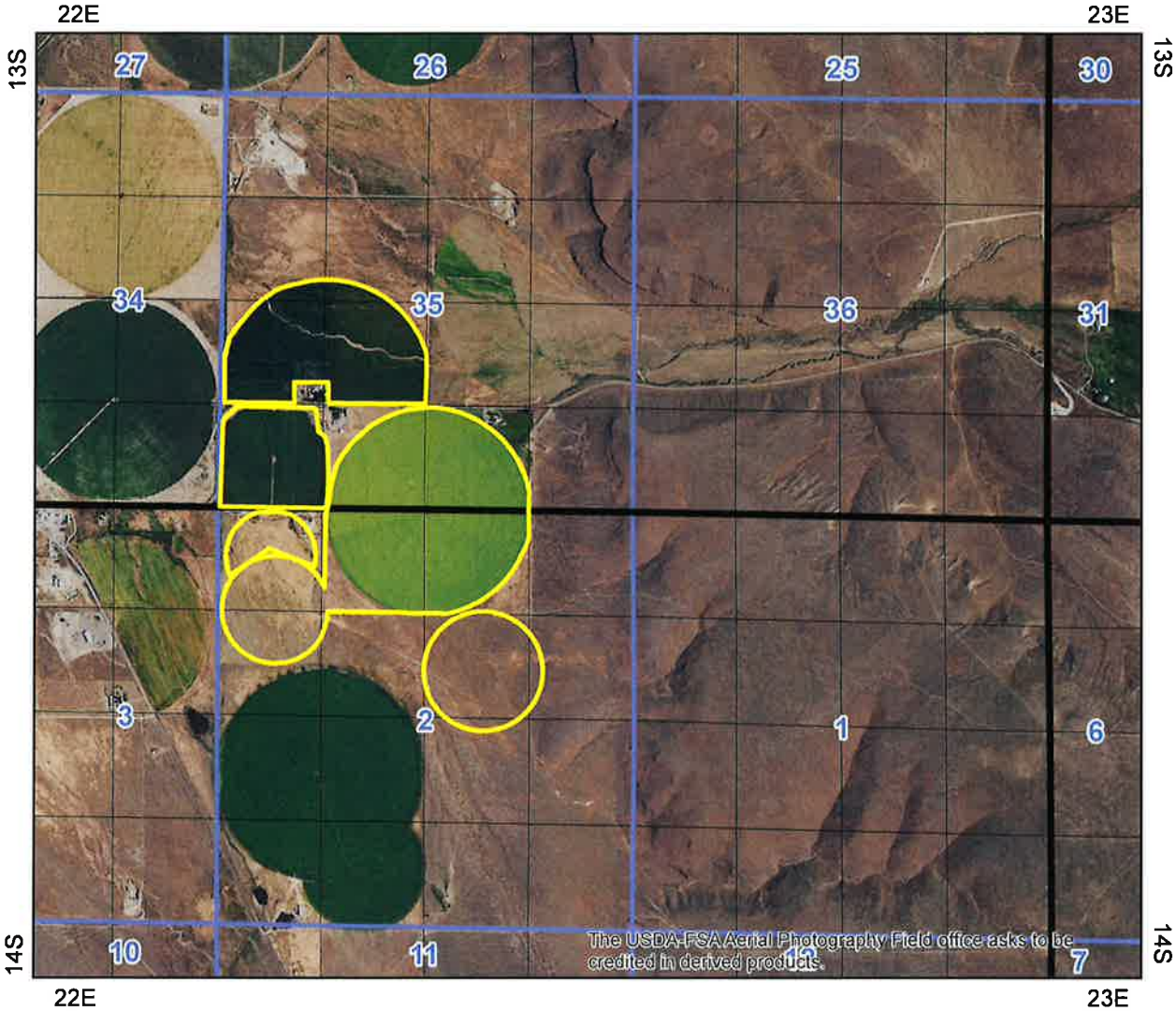
N

State of Idaho
Department of Water Resources

Attachment to Transfer # 83910

45-680, 45-688, and 45-14381

This map depicts the STOCKWATER place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.275 0.55 1.1 Miles

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

N

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DEPT OF WATER RESOURCES
SOUTHERN REGION

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 83910

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) G5 Land Company 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: _____

Amended Application received 3/2/2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) G5 Land Company LLC Phone 208-862-3346

Mailing address 1310 S 600 W, Oakley, ID 83316-9759 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 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.

Ryan Cranney	Ryan Cranney - President	02/27/20
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	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 combine place of use

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 **Part1A.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**.
   See attached.

Part 1A.3

Cranney South Oakley Transfer Description

This transfer seeks do accomplish multiple objectives.

1. Change place of use of water right numbers 45-2363, 45-14377, 45-14379, and 45-14381
2. Adjust place of use for current irrigation practices on G5 Land Co. rights to reflect current irrigation practices
3. Combine place of use for all water rights listed for added flexibility
    a. Includes ground water and surface water

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. All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ ☐	45-2363	1.0	irrigation	4/1 to 10/31	groundwater
☐ ☐	45-14377	0.32	irrigation	3/15 to 11/15	Mill Creek/Sinks
☐ ☐	45-14379	1.3	irrigation	3/15 to 11/15	Mill Creek/Sinks
☐ ☐	45-14381	0.11	irrigation	3/15 to 11/15	Mill Creek/Sinks
☐ ☐	45-663	0.33	irrigation	3/15 to 11/15	Mill Creek/Sinks
☐ ☐	45-680	1.15	irrigation/stockwater	3/15 to 11/15	Mill Creek/Sinks
☐ ☐	45-660	1.11	irrigation	3/15 to 11/15	Mill Creek/Sinks
☐ ☐	45-688	2.21	irrigation/stockwater	3/15 to 11/15	Mill Creek/Sinks
☐ ☐				to	

Total authorized under rights 7.53 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or _____ 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 #

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	
13S	22E	35							3.6	4.1	35.8	32.3	35.5	30.3			31.0		172.6
14S	22E	02		32.4	35.7	2.9	38.1	29.7	15.9	0.4						2.3			157.4
Stockwater																			
13S	22E	35							3.6	4.1	35.8	32.3	35.5	30.3			31.0		172.6
14S	22E	02		32.4	35.7	2.9	38.1	29.7	15.9	0.4						2.3			157.4
																		Total Acres (for irrigation use)	330

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:
Groundwater diversions have a full profile magnetic flowmeters in place. Surface water regulated by 45-A watermaster. Mainline from Robinson well will be connected to the G5 mainline that roughly follows the Mill Creek channel. Mainline system will be extended to the two new pivots in section 2.

b. Who owns the property at the point(s) of diversion? Nathan Robinson (GW diversion)
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
See attached documentation describing purchase of well.

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: _____

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:
Lands where water is transferred from will be dried and used for rangeland.

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:
All rights associated with lands are included in this combination.

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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: ____________

1. amount ____________ (cfs/ac-ft) for ____________ purposes from ________ to ________
   amount ____________ (cfs/ac-ft) for ____________ purposes from ________ to ________
   amount ____________ (cfs/ac-ft) for ____________ purposes from ________ to ________
   amount ____________ (cfs/ac-ft) for ____________ purposes from ________ to ________
   amount ____________ (cfs/ac-ft) for ____________ purposes from ________ to ________
   amount ____________ (cfs/ac-ft) for ____________ purposes from ________ to ________
   amount ____________ (cfs/ac-ft) for ____________ purposes from ________ to ________
   amount ____________ (cfs/ac-ft) for ____________ purposes from ________ to ________
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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	
																		Total Acres (for irrigation use)	

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

Current Water Right No.: 45-660

Current Owner: G5 LAND COMPANY LLC

Priority Date: 4/1/1894

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
MILL CREEK	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	1.11 CFS	
	Total Diversion	1.11 CFS	

Location of Point(s) of Diversion

MILL CREEK NW1/4NE1/4SE1/4 Sec. 36, Twp 13S, Rge 22E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R22E S35	SWNW	7.00	T13S R22E S35	SENW	4.00
T13S R22E S35	NESW	40.00	T13S R22E S35	NWSW	39.00
T13S R22E S35	SWSW	38.00	T13S R22E S35	SESW	38.00

Total Acres: 166

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	C22	Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.
3.	E55	USE OF THIS RIGHT WITH RIGHT NO. 45-688 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 166 ACRES IN A SINGLE IRRIGATION SEASON.

Decreed Date: 5/6/2005

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

Current Water Right No.: 45-663

Current Owner: G5 LAND COMPANY LLC

Priority Date: 4/1/1894

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
MILL CREEK	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	0.33 CFS	
	Total Diversion	0.33 CFS	

Location of Point(s) of Diversion

MILL CREEK NW1/4NE1/4SE1/4 Sec. 36, Twp 13S, Rge 22E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R22E S35		SWSE	32.00	T14S R22E S2	Lot 2	NWNE	16.00
T14S R22E S2	Lot 3	NENW	26.00				

Total Acres: 74

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 45-680 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 74 ACRES IN A SINGLE IRRIGATION SEASON.

2. C22 Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 5/6/2005

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

Current Water Right No.: 45-680

Current Owner: G5 LAND COMPANY LLC

Priority Date: 12/31/1879

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
MILL CREEK	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	1.15 CFS	
STOCKWATER	01/01 to 12/31	0.05 CFS	2.7 AF
	Total Diversion	1.15 CFS	2.7 AF

Location of Point(s) of Diversion

MILL CREEK NW1/4NE1/4SE1/4 Sec. 36, Twp 13S, Rge 22E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R22E S35		SWSE	32.00	T14S R22E S2	Lot 2	NWNE	16.00
T14S R22E S2	Lot 3	NENW	26.00				

Total Acres: 74

STOCKWATER Within CASSIA County

T13S R22E S35		SWSE	T14S R22E S2	Lot 2	NWNE
T14S R22E S2	Lot 3	NENW			

Conditions of Approval:

1.	E55	USE OF THIS RIGHT WITH RIGHT NO. 45-663 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 74 ACRES IN A SINGLE IRRIGATION SEASON.
2.	C22	Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.
3.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 5/6/2005

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

Current Water Right No.: 45-688

Current Owner: G5 LAND COMPANY LLC

Priority Date: 12/31/1879

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
MILL CREEK	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	2.21 CFS	
STOCKWATER	01/01 to 12/31	0.05 CFS	2.7 AF
	Total Diversion	2.21 CFS	2.7 AF

Location of Point(s) of Diversion

MILL CREEK NW1/4NE1/4SE1/4 Sec. 36, Twp 13S, Rge 22E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R22E S35	SWNW	7.00	T13S R22E S35	SENW	4.00
T13S R22E S35	NESW	40.00	T13S R22E S35	NWSW	39.00
T13S R22E S35	SWSW	38.00	T13S R22E S35	SESW	38.00

Total Acres: 166

STOCKWATER Within CASSIA County

T13S R22E S35	SWNW	T13S R22E S35	SENW
T13S R22E S35	NESW	T13S R22E S35	NWSW
T13S R22E S35	SWSW	T13S R22E S35	SESW

Conditions of Approval:

1. C22 Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

3. E55 USE OF THIS RIGHT WITH RIGHT NO. 45-660 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 166 ACRES IN A SINGLE IRRIGATION SEASON.

Decreed Date: 5/6/2005

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

Current Water Right No.: 45-2363

Current Owner: KAYDEE ROBINSON
NATHAN ROBINSON

Priority Date: 2/6/1951

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 10/31	1 CFS	308 AF
	Total Diversion	1 CFS	308 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4SW1/4 Sec. 36, Twp 13S, Rge 22E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R22E S35	SWNE	40.00	T13S R22E S35	NESE	33.00
T13S R22E S35	NWSE	40.00			

Total Acres: 113

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.
2.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3.	104	If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5.	206	Rights 45-2363, 45-14377, 45-14379, and 45-14381 are limited to the irrigation of a specific 90.0 acres within the 113.0 acre place of use authorized by this right in a single irrigation season. The specific 90.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 90.0 acres to be irrigated within the 113.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6.	065	The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7.	X61	The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than May 6, 2005
8.	S21	Use of this right is combined with water from Mill Creek.
9.	X35	Rights 45-14377, 45-14379, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.
10.	R64	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 place of use.
11.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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.	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. 140.

Decreed Date: 5/6/2005

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

Current Water Right No.: 45-14377

Current Owner: KAYDEE ROBINSON
NATHAN ROBINSON

Priority Date: 5/1/1882

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
MILL CREEK	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	0.32 CFS	
	Total Diversion	0.32 CFS	

Location of Point(s) of Diversion

MILL CREEK NE1/4SE1/4 Sec. 36, Twp 13S, Rge 22E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R22E S35	SWNE	40.00	T13S R22E S35	NESE	33.00
T13S R22E S35	NWSE	40.00			

Total Acres: 113

Conditions of Approval:

1.	206	Rights 45-14377, 45-17379, 45-14381, and 45-2363 are limited to the irrigation of a specific 90.0 acres within the 113.0 acre place of use authorized by these rights in a single irrigation season. The specific 90.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 90.0 acres to be irrigated within the113.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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 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.
3.	X35	Rights 45-14377, 45-14379, and 45-14381 when combined shall not exceed a total diversion rate of 1.73 cfs and the irrigation of 90 acres.
4.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5.	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. 45A.
6.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8.	X35	Rights 45-14377, 45-14379, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.
9.	R64	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 place of use.
10.	C22	Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.
11.	X27	This right is limited to the irrigation of 78.2 acres within the authorized place of use in a single irrigation season.

Decreed Date: 1/8/2007

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

Current Water Right No.: 45-14379

Current Owner: NATHAN ROBINSON
KAYDEE ROBINSON

Priority Date: 4/1/1960

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
MILL CREEK	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	1.3 CFS	
	Total Diversion	1.3 CFS	

Location of Point(s) of Diversion

MILL CREEK NE1/4SE1/4 Sec. 36, Twp 13S, Rge 22E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R22E S35	SWNE	40.00	T13S R22E S35	NESE	33.00
T13S R22E S35	NWSE	40.00			

Total Acres: 113

Conditions of Approval:

1.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
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 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.
3.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4.	C22	Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.
5.	R64	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 place of use.
6.	X35	Rights 45-14377, 45-14379, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.
7.	X35	Rights 45-14377, 45-14379, and 45-14381 when combined shall not exceed a total diversion rate of 1.73 cfs and the irrigation of 90 acres.
8.	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. 45A.
9.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10.	X27	This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.
11.	206	Rights 45-14377, 45-14379, 45-14381, and 45-2363 are limited to the irrigation of a specific 90.0 acres within the 113.0 acre place of use authorized by these rights in a single irrigation season. The specific 90.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 90.0 acres to be irrigated within the 113.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

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

Current Water Right No.: 45-14381

Current Owner: NATHAN ROBINSON
KAYDEE ROBINSON

Priority Date: 12/31/1879

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
MILL CREEK	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	0.11 CFS	
STOCKWATER	01/01 to 12/31	0.02 CFS	1.2 AF
	Total Diversion	0.11 CFS	

Location of Point(s) of Diversion

MILL CREEK NE1/4SE1/4 Sec. 36, Twp 13S, Rge 22E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R22E S35	SWNE	40.00	T13S R22E S35	NESE	33.00
T13S R22E S35	NWSE	40.00			

Total Acres: 113

STOCKWATER Within CASSIA County

T13S R22E S35	SWNE	T13S R22E S35	NESE
T13S R22E S35	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.	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.
3.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4.	R64	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 place of use.
5.	206	Rights 45-14377, 45-14379, 45-14381, and 45-2363 are limited to the irrigation of a specific 90.0 acres within the 113.0 acre place of use authorized by these rights in a single irrigation season. The specific 90.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 90.0 acres to be irrigated within the 113.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur. Additionally when only the 12/31/1879 priority water rights are deliverable and in rotation the water user shall identify to the watermaster which specific 35.9 acres will be irrigated.
6.	X35	Rights 45-14377, 45-1437, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.
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. 45A.
8.	X27	This right is limited to the irrigation of 35.9 acres within the authorized place of use in a single irrigation season.
9.	X35	Rights 45-14377, 45-14379, and 45-14381 when combined shall not exceed a total diversion rate of 1.73 cfs and the irrigation of 90 acres.
10.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
11.	C22	Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

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

☑ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If 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 #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

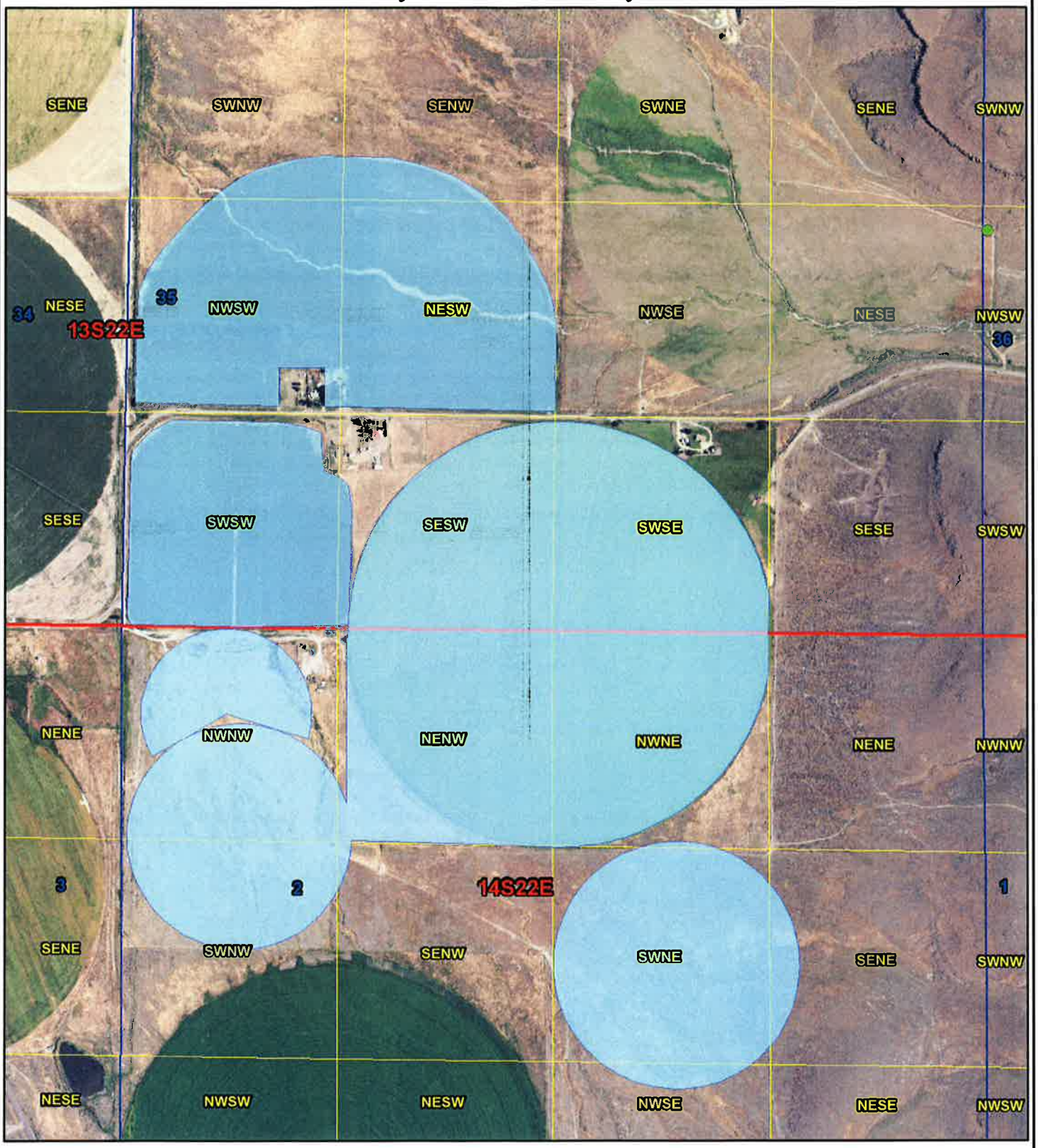
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid 1,060.— Date 2/18/20 Receipted by SG Receipt # S037774

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

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

Cranney South Oakley Transfer



POD

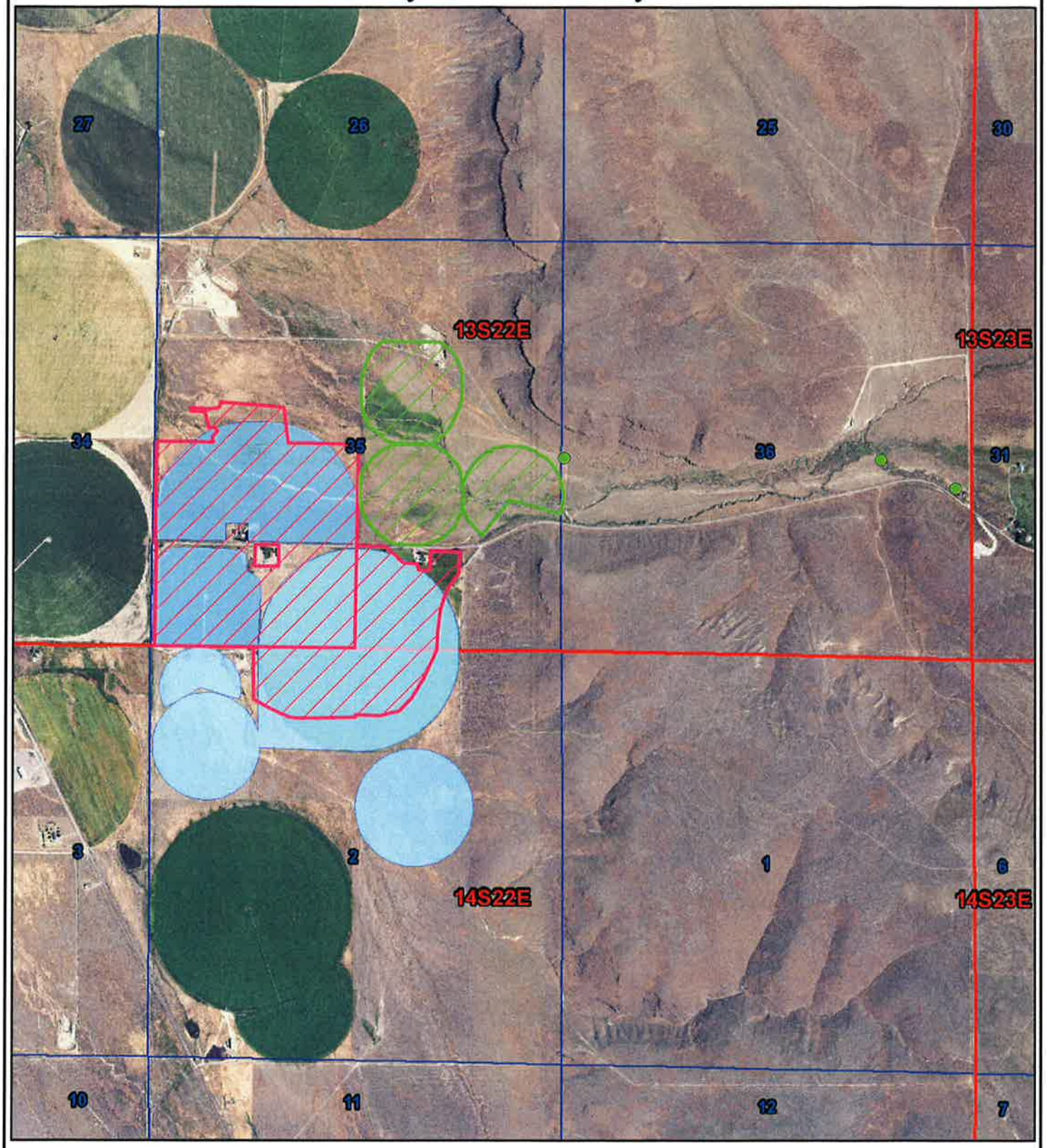
Requested POU

N

0 0.1 0.2 0.3 0.4 0.5 Miles

2017 NAIP Aerial Imagery
Proposed transfer place of use.

Cranney South Oakley Transfer



NATHAN ROBINSON

G5 LAND CO

POD

Requested POU

N

0 0.2 0.4 0.6 0.8 1 Miles

2017 NAIP Aerial Imagery
Current and proposed transfer place of use.

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

CASSIA COUNTY
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TITLEONE - BURLEY
03:31:58 PM 07-02-2019
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NO. PAGES: 7 FEE: $15.00
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FLETCHER LAW
OFFICE
BURLEY, IDAHO

WARRANTY DEED

THIS INDENTURE is made this 2nd day of July, 2019, between ***SANDY POULTON, PERSONAL REPRESENTATIVE OF THE ESTATES OF WILLIAM HOWARD WELLS, also known as WILLIAM H. WELLS, also known as BILL WELLS, and EDITH GAY SHANGLE WELLS, also known as GAE WELLS, also known as EDITH GAY WELLS***, whose address is in care of Sandy Poulton, 269 West 1975 South, Oakley, Idaho 83346 ("Grantor") and ***G5 LAND COMPANY, L.L.C.***, an Idaho limited liability company, 1310 South 600 West, Oakley, Idaho 83346 ("Grantee").

WITNESSETH:

That the Grantor for and in consideration of the sum of Ten Dollars ($10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, in the following described real estate situated in the County of Cassia, State of Idaho to-wit:

SEE EXHIBIT A ATTACHED HERETO.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises

FLETCHER LAW OFFICE
BURLEY, IDAHO

WARRANTY DEED

THIS INDENTURE is made this 1st day of July, 2019, between ***SANDY POULTON, PERSONAL REPRESENTATIVE OF THE ESTATES OF WILLIAM HOWARD WELLS, also known as WILLIAM H. WELLS, also known as BILL WELLS, and EDITH GAY SHANGLE WELLS, also known as GAE WELLS, also known as EDITH GAY WELLS***, whose address is in care of Sandy Poulton, 269 West 1975 South, Oakley, Idaho 83346 ("Grantor") and ***G5 LAND COMPANY, L.L.C.***, an Idaho limited liability company, 1310 South 600 West, Oakley, Idaho 83346 ("Grantee").

W I T N E S S E T H:

That the Grantor for and in consideration of the sum of Ten Dollars ($10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, in the following described real estate situated in the County of Cassia, State of Idaho to-wit:

SEE EXHIBIT A ATTACHED HERETO.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises

in the quiet and peaceable possession of the Grantee, and the heirs and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

ESTATES OF WILLIAM HOWARD WELLS, also known as WILLIAM H. WELLS, also known as BILL WELLS, and EDITH GAY SHANGLE WELLS, also known as GAE WELLS, also known as EDITH GAY WELLS

BY Sandy Poulton PR
Sandy Poulton, Personal Representative

STATE OF IDAHO)
) ss
County of Cassia)

On this 2nd day of July, in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **SANDY POULTON**, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estates of William Howard Wells, also known as William H. Wells, also known as Bill Wells, and Edith Gay Shangle Wells, also known as Gae Wells, also known as Edith Gay Wells, and acknowledged to me that she executed the same as such Personal Representative.

ANNETTE ROTH
COMMISSION #9314
NOTARY PUBLIC
STATE OF IDAHO

Annette Roth
Notary Public for Idaho
Residing at Rupert, Id
My commission expires on 8-4-2023

FLETCHER LAW OFFICE
BURLEY, IDAHO

PARCEL NO. 1:
TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 35: Part of the S½NW¼ and Part of the N½SW¼, more particularly described as follows:

Beginning at the West ¼ Corner of Section 35, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top which shall be the Point of Beginning;
Thence North 01°11'21" East along the west line of Section 35 for a distance of 314.97 feet to a ½ inch rebar;
Thence South 89°13'31" East for a distance of 1365.01 feet to a ½ inch rebar;
Thence along a non-tangent curve to the right for a distance of 1668.51 feet to a 5/8 inch rebar on the east line of the SW¼, said curve having a radius of 1340.00 feet, a delta angle of 71°20'32", and a long chord bearing of South 52°46'43" East for a distance of 1562.81 feet;
Thence South 00°50'40" West along said ¼ section line for a distance of 695.44 feet to a 5/8 inch rebar at the Southeast Corner of the N½SW¼;
Thence North 89°12'17" West along the south line of the N½SW¼ for a distance of 1393.72 feet;
Thence North 01°14'02" West for a distance of 26.46 feet to a ½ inch rebar;
Thence North 01°14'02" West for a distance of 240.46 feet to a 5/8 inch rebar;
Thence North 89°20'41" West for a distance of 290.74 feet to a ½ inch rebar;
Thence South 00°03'10" East for a distance of 239.94 feet to a ½ inch rebar;
Thence South 00°03'10" East for a distance of 26.14 feet to the south line of the N½SW¼;
Thence North 89°12'17" West along said 1/16 section line for a distance of 943.07 feet to the Southwest Corner of the N½SW¼;
Thence North 01°11'21" East along the west line of Section 35 for a distance of 1307.99 feet to the Point of Beginning.

PARCEL NO. 2:
TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 35: Part of the S½SW¼, more particularly described as follows:

Beginning at the West ¼ Corner of Section 35, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top; Thence South 01°11'21" West along the west line of Section 35 for a distance of 1307.99 feet to the Northwest Corner of the S½SW¼ which shall be the Point of Beginning;
Thence South 89°12'17" East along the north line of the S½SW¼ for a distance of 1221.88 feet;
Thence South 04°29'58" East for a distance of 25.11 feet to a ½ inch rebar;
Thence South 04°29'58" East for a distance of 318.35 feet to a ½ inch rebar;
Thence South 89°12'17" East for a distance of 543.70 feet to a ½ inch rebar;
Thence along a non-tangent curve to the right for a distance of 646.93 feet to a ½ inch rebar, said curve having a radius of 1325.04 feet, a delta angle of 27°58'26", and a long chord bearing of North 63°07'40" East for a distance of 640.53 feet;
Thence North 00°56'30" East for a distance of 16.43 feet to a ½ inch rebar;
Thence North 00°56'30" East for a distance of 28.15 feet to the north line of the S½SW¼;
Thence South 89°12'17" East along said 1/16 section line for a distance of 268.36 feet to a 5/8 inch rebar;
at the Northwest Corner of the SW¼SE¼;
Thence South 89°12'17" East along the north line of the SW¼SE¼ for a distance of 359.73 feet;
Thence South 04°40'56" East for a distance of 29.62 feet to a ½ inch rebar;
Thence South 04°40'56" East for a distance of 38.41 feet to a ½ inch rebar;

Thence along a non-tangent curve to the right for a distance of 1419.42 feet to a ½ inch rebar, said curve having a radius of 1304.50 feet, a delta angle of 62°20'36", and a long chord bearing of South 43°46'24" East for a distance of 1350.43 feet;
Thence South 88°57'08" East for a distance of 4.83 feet to a ½ inch rebar on the east line of the SW¼SE¼;
Thence South 00°40'20" West along said 1/16 section line for a distance of 278.85 feet to a 5/8 inch rebar at the Southeast Corner of the SW¼SE¼;
Thence North 89°11'41" West along the south line of Section 35 for a distance of 1320.46 feet to the South ¼ Corner of Section 35;
Thence North 89°11'41" West along said section line for a distance of 2640.90 feet to a 5/8 inch rebar with a 3 inch aluminum cap at the Southwest Corner of Section 35;
Thence North 01°11'21" East along the west line of Section 35 for a distance of 1307.99 feet to the Point of Beginning.

PARCEL NO. 3:
TOWNSHIP 14 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: That part of the NW¼NW¼, more particularly described as follows:

Beginning at the Northwest Corner of the NW¼; Thence South 00°07'41" East for a distance of 33.00 feet to the Point of Beginning;
Thence South 89°12'07" East for a distance of 1320.66 feet to the east line of the NW¼NW¼;
Thence South 00°07'28" West for a distance of 1273.04 feet;
Thence North 88°57'49" West for a distance of 1320.82 feet;
Thence North 00°07'41" East along the west line of Section 2 for a distance of 1267.55 feet to the Point of Beginning.

PARCEL NO. 4:
TOWNSHIP 14 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: Lots 2 and 3

PARCEL NO. 5:
TOWNSHIP 14 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2All of the N½SW¼NW¼ and part of the S½SW¼NW¼, more particularly described as follows:

Beginning at the West ¼ section corner of said Section 2, said corner marked by a 5/8 inch rebar; Thence North 00°07'41" East along the West line of Section 2 for a distance of 655.18 feet to the Point of Beginning;
Thence North 00°07'41" East along the West line of Section 2 for a distance of 4.99 feet to the Southwest corner of the N½SW¼NW¼;
Thence North 00°07'41" East along the West line of Section 2 for a distance of 660.17 feet to the Northwest corner of the N½SW¼NW¼;
Thence South 88°57'49" East along the North line of the N½SW¼NW¼ for a distance of 1320.82 feet to the Northeast corner of the N½SW¼NW¼;
Thence South 00°07'28" West along the East line of the N½SW¼NW¼ for a distance of 658.89 feet to the Southeast corner of the N½SW¼NW¼;
Thence South 00°07'28" West along the East line of the S½SW¼NW¼ for a distance of 6.58 feet;
Thence North 88°57'00" West for a distance of 1314.57 feet to a ½ inch rebar;

Thence North 88°57'00" West for a distance of 6.30 feet to the Point of Beginning.

PARCEL NO. 6:
TOWNSHIP 14 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: Part of the SE¼, S½NE¼ and the SE¼NW¼, more particularly described as follows:

Beginning at the Southeast Corner of said Section 2, marked by an iron pipe with brass cap which shall be the Point of Beginning;
Thence North 88°53'18" West along the south line of said Section 2 for a distance of 2642.55 feet;
Thence North 88°53'18" West continuing along said south line for a distance of 14.39 feet;
Thence North 00°29'41" West for a distance of 2649.78 feet;
Thence North 00°29'41" West for a distance of 649.68 feet;
Thence North 88°57'00" West for a distance of 1271.48 feet;
Thence North 00°07'28" East for a distance of 6.58 feet;
Thence North 00°07'28" East for a distance of 658.89 feet;
Thence South 88°57'49" East for a distance of 1320.63 feet
Thence South 88°57'49" East for a distance of 2653.38 feet to the east line of said Section 2;
Thence South 00°25'17" East along the east line of said Section 2 for a distance of 1310.34 feet;
Thence South 00°36'32" West along the east line of said Section 2 for a distance of 2657.65 feet to the Point of Beginning.

INCLUDING:

All water rights appurtenant to the above entitled property including, but not limited to:

IDWR Water Right No. 45-660
IDWR Water Right No. 45-663
IDWR Water Right No. 45-680
IDWR Water Right No. 45-688
IDWR Water Right No. 45-11157

All right, title, and interest, if any, of Grantor to receive the delivery of domestic and stock water pursuant to Certificates No. 29, 94, 113, representing ten (10) total shares, of North Oakley Water Co., Inc., now known as Oakley Valley Water Company.

All right, title, and interest of Seller, if any, to receive water pursuant to the Water Rotation Agreement recorded as Instrument No. 224804, records of Cassia County, Idaho.

And those water rights reserved by Seller in that Personal Representative's Deed Reserving Water Rights between Seller as the Grantor and Kloepfer, Inc. as the Buyer which was recorded on May 3, 2019 as Instrument No. 2019-001649 and re-recorded June 27, 2019 as Instrument No. 2019002575, records of Cassia County, Idaho.

SUBJECT TO:

Taxes and assessments for the year 2019.

Any assessments of the Southwest Irrigation District.

An easement for the purpose shown below and rights incidental thereto as set forth in Easement Deed.
Granted to: North Oakley Water Company
Recorded: January 12, 1946
Instrument No.: 153618

Reservation contained in Warranty Deed from Caroline L. Tucker, party of the first part, and Ennis Matthews, party of the second part, dated March 12, 1956 and recorded February 10, 1964 as Instrument No. 16917 on Film No. 25, records of Cassia County, Idaho, which reads as follows: "Subject to reservation of mineral deposits by party of the first part, including deposits of gravel and sand of commercial value." and which also reads: "Party of the first part reserves the right of ingress and regress for removal of minerals, including commercial gravel and sand." (Covers Lot 1 and S½NE¼ of Section 3, Township 14 South, Range 22 East of the Boise Meridian and SW¼NW¼ of Section 2 Township 14 South, Range 22 East of the Boise Meridian)

Reservation contained in Warranty Deed from Henry W. Tucker and Nettie M. Tucker, husband and wife, parties of the first part, and Ennis Matthews, party of the second part, dated July 5, 1961 and recorded February 10, 1964 as Instrument No. 16918 on Film No. 25, records of Cassia County, Idaho, which reads as follows: "Subject to reservation of mineral deposits by parties of the first part, including gravel and sand of commercial value," and which also reads: "Parties of the first part reserve the right of ingress and regress for removal of commercial sand and gravel and other minerals." (Covers the SW¼ of Section 2, Township 14 South, Range 22 East of the Boise Meridian.

An easement for the purpose shown below and rights incidental thereto as set forth in Power Line Easement.
Granted to: Idaho Power Company
Recorded: February 23, 1968
Instrument No.: 39109
(Over and across Sections 2 and 11 of Township 14 South, Range 22 East of the Boise Meridian)

Effects of, if any, in Resolution 95-4-4, Board of County Commissions of Cassia County, Idaho, acting as Cassia County Planning Commission, for a special use permit number 95-3-1 for construction, operation and maintenance of a gravel pit, dated April 24, 1995 and recorded April 26, 1995 as Instrument No. 236307, records of Cassia County, Idaho.
(Covering the SW¼NW¼ of Section 35, Township 13 South, Range 22 East of the Boise Meridian)

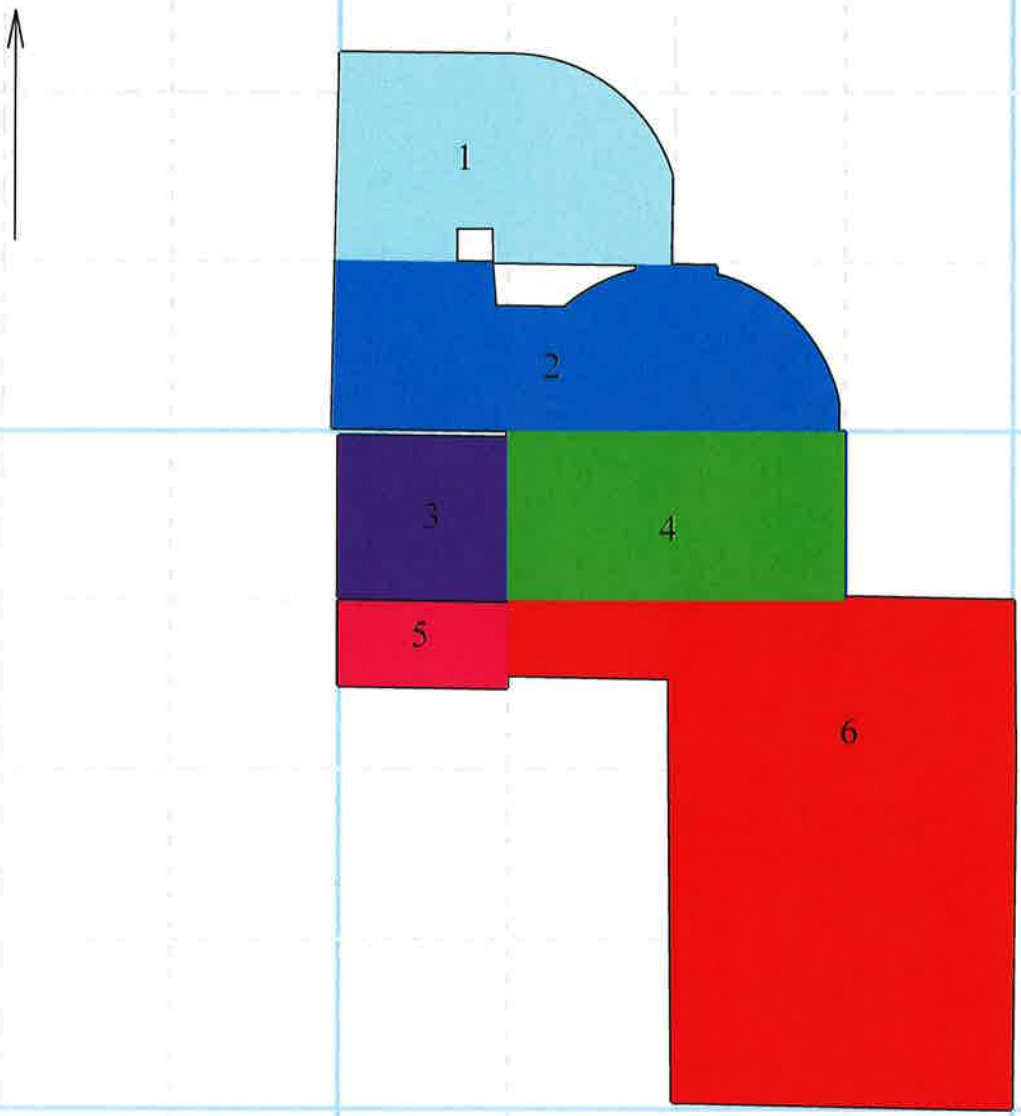
Pipeline Easement from Howard Dutch Robinson and Karen Robinson, husband and wife doing business as Green Acres sometimes known as Green Acres, L.L.C., to Manning Ranches, Inc., dated July 19, 2007 and recorded August 20, 2007 as Instrument No. 2007-317706, records of Cassia County, Idaho.
(Covers Section 2, Township 14 South, Range 22 East of the Boise Meridian)

Well Agreement with Easement, between D & N Ranch, LLC and Manning Ranches, Inc., dated August 16, 2007 and recorded August 20, 2007 as Instrument No. 2007-317710, records of Cassia County, Idaho.

Assignment of Well Agreement, recorded February 18, 2011 as Instrument Number 2011-000795 and Re-Recorded June 16, 2011 as Instrument No. 2011-002518,
Assignment of Well Agreement, recorded February 29, 2012 as Instrument No. 2012-000882.
Assignment of Well Agreement, recorded February 29, 2012 as Instrument No. 2012-000883.

Pipeline Easement by Wm. H. Wells and Edith Gay Wells aka Bill Wells and Gae Wells, husband and wife and H. Dutch Robinson aka Howard Robinson and Karen Robinson, husband and wife to Cranney Land Company, L.L.C., dated February 20, 2012 and recorded February 29, 2012 as Instrument No. 2012-000884, records of Cassia County, Idaho.

Grant of Easement for Construction and Maintenance of a Roadway for Ingress and Egress, between Wm. H. Wells and Edith Gay Wells, husband and wife, aka Bill Wells and Gae Wells, and Cranney Land Company, L.L.C., and H. Dutch Robinson aka Howard Robinson and Karen Robinson, husband and wife, dated February 20, 2012 and recorded February 29, 2012 as Instrument No. 2012-000885 and Re-recorded March 30, 2012 as Instrument No. 2012-001348, records of Cassia County, Idaho.



2/24/2020

Scale: 1 inch= 1500 feet | File: william wells.ndp

+Tract 1: 88.8777 Acres, Closure: n86.0652e 0.01 ft. (1/695322), Perimeter=8512 ft.
+Tract 2: 104.1967 Acres, Closure: s84.3751e 0.05 ft. (1/227261), Perimeter=10469 ft.
+Tract 3: 38.5116 Acres, Closure: s36.0801e 0.01 ft. (1/750712), Perimeter=5182 ft.
+Tract 4: 20.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=3960 ft.
+Tract 5: 20.1714 Acres, Closure: s33.4133e 0.01 ft. (1/727076), Perimeter=3972 ft.
+Tract 6: 264.3797 Acres, Closure: n07.4236w 0.03 ft. (1/498684), Perimeter=15835 ft.
+Tract 7: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
Tract 8: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.

Net Area= 576.1371 Acres, (25096531) Sq. Feet.

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

BURIED PIPELINE EASEMENT

EASEMENT GRANTED this 3rd day of September, 2019, by **NATHAN ROBINSON**, a single person as his sole and separate property, of Box 118, Oakley, ID 83346 ("**GRANTOR**") and **G5 LAND COMPANY, LLC**, of 1310 South 600 West, Oakley, ID 83346 ("**GRANTEE**").

1. DECLARATIONS: The parties declare:

1.1 The Grantee has acquired certain Water Rights from the Grantor and it is part of the consideration for the purchase the Grantor is willing to grant to the Grantee an Easement for a buried pipeline to join another pipeline of the Grantee already existing.

1.2 This Easement shall be executed simultaneously with the Contract of Sale between the Grantor and the Grantee for certain Water Rights identified in the Contract. This Easement shall not be effective if the Water Rights in the Contract of Sale are not approved for transfer.

1.3 This Easement is described on Exhibit A.

2. EASEMENT: In consideration of the Contract of Sale between the Grantor and the Grantee as to certain Water Rights the Grantor grants and conveys to the Grantee, its successors, assigns and licensees, a 50-foot Easement and Right-of-Way for the purpose of laying, constructing, operating, inspecting, maintaining, repairing, replacing, substituting and removing a pipeline for the transportation of water in, over and through the premises in Cassia County, Idaho, described on Exhibit A.

3. **INGRESS & EGRESS**: Grantee shall have the right of ingress and egress to and from the Premises adjacent to the Right-of-Way for any and all purposes necessary or convenient to the exercise by Grantee of the rights granted in this Agreement

4. **RESERVATION BY GRANTOR**: Grantor reserves the right to use and enjoy the Premises to the fullest extent possible as herein provided without unreasonable interference with the exercise by the Grantee of the rights granted in this Agreement.

5. **BURYING PIPELINES AND USE RESTRICTIONS**: The parties further agree:

5.1 Grantee, by acceptance of this Agreement, agrees to bury the pipeline, or pipelines, so that they will not interfere with the ordinary cultivation of the Premises and at a depth of at least six (6) feet to top of the pipeline or pipelines.

5.2 The Grantor agrees that the land over the pipeline may be used by the Grantor for any purpose that does not interfere with the pipeline or pipelines and so long as there is not installed or constructed on the Easement any permanent structure that would interfere with the access to the pipeline or pipelines by the Grantee. Any trees, shrubs, fences, etc., planted or installed on the Easement are at the risk of the Grantor and the Grantee shall not be responsible for their removal in the event it is necessary to remove the same in the use of the Easement by the Grantee and its licensees.

5.3 Except in an emergency, the Grantee shall reasonably notify, either orally or in writing, the Grantor or the successors and assigns of the Grantor of any intended action in the exercise of the rights under this Easement that would involve excavation, trenching or similar activity.

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

6. **ATTORNEY FEES**: The prevailing party in any action arising under this Agreement shall be entitled to reasonable attorney fees in addition to all other relief afforded by the court.

7. **EASEMENT RUNNING WITH THE LAND**: The Right-of-Way hereby granted in this Easement Agreement shall be deemed an Easement running with the land and shall be binding upon the Grantor and the successors and assigns of the Grantor in the Premises.

8. **TERMINATION**: This Easement may be terminated by the Grantor, or the successors in interest of the Grantor and the Grantee, or its successors and assigns, by an instrument in writing signed by the respective parties and recorded in the office of the County Recorder, County of Cassia, State of Idaho.

9. **SUCCESSORS AND ASSIGNS AND ASSIGNMENT**: This Agreement shall be binding upon the parties, their successors and assigns, and the rights and easements granted in this Agreement shall be assignable together or separately and in whole or in part.

10. **COSTS AND EXPENSES**: The Grantee shall pay all costs and expenses incident to the performance of the installation, maintenance, replacement and purpose of the pipeline or pipelines, and to save the Grantor, their successors and assigns, harmless from any such costs and expenses and shall not allow any lien or liens to be filed against the Premises for costs and expenses incurred under the terms of this Agreement for the pipeline or pipelines.

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

11. **REPRESENTATION**: The Grantor represents that the Grantor has legal right to execute this Agreement and that any subordination of any lienholder in and to the Premises has been obtained.

12. **INSTALLATION OF PIPELINE**: The pipeline or pipelines will be installed in a workmanlike manner and when installed, the trench will be compacted to the grade of the land that it was before the trench was excavated. This is a continuing obligation of Grantee and should the grade not be maintained because of improper compaction or maintenance on the pipeline or pipelines and the trench, then Grantee will repair the same.

13. **DEFAULT**: If the Grantee defaults in the performance of its obligations under this Agreement, the Grantor shall give the Grantee thirty (30) days notice in writing of the claimed default and the Grantee shall have such thirty (30) day period to cure any default that may exist provided however, that if such default cannot be cured within said thirty (30) day period because of the inability to cure the default because of labor and material unavailability then in such event the Grantee shall have a reasonable time thereafter to obtain materials and labor for the curing of the default.

14. **ENTIRE AGREEMENT**: This Agreement constitutes the entire understanding of the parties and that all prior negotiations and representations are deemed merged herein. This Agreement may only be modified in writing by the Grantor and Grantee, or their successors and assigns, and recorded in the office of the County Recorder, County of Cassia, State of Idaho. There shall be no oral modifications of this Agreement.

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

IN WITNESS WHEREOF the parties have executed this Pipeline Easement the day and year first above written.

GRANTOR

NATHAN ROBINSON

GRANTEE

G5 LAND COMPANY, L.L.C.

By _____
Title: President

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

STATE OF IDAHO)
) ss
County of Cassia)

On this 3rd day of September, in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **NATHAN ROBINSON** known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

SHELLY WARD
COMMISSION NO. 25975
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho
Residing at: Burley
Comm. Exp.: 05/30/20

STATE OF IDAHO)
) ss
County of Cassia)

On this 9th day of September, in the year 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared **RYAN CRANNEY**, known or identified to me to be the Member or Members of the Limited Liability Company of **G5 LAND COMPANY, L.L.C.** and the Member or one of the Members who subscribed said Limited Liability Company's name to the foregoing instrument, and acknowledged to me that he executed the same in said Limited Liability Company's name.

SHELLY WARD
COMMISSION NO. 25975
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho
Residing at: Burley
Comm. Exp.: 05/30/20

(G5LandCompany/RobinsonEasement.doc)

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

EXHIBIT A

Part of the NE¼SE¼ of Section 35 in Township 13 South, Range 22 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the East ¼ corner of Section 35 in T. 13 S., R.22 E., B.M. said corner marked by a 5/8" rebar with a 3" aluminum cap on top which shall be the Point of Beginning;

THENCE South 00 degrees 30 minutes 01 seconds West along the east line of Section 35 for a distance of 990.92 feet to the centerline of Basin Road;

THENCE North 81 degrees 35 minutes 34 seconds West along said centerline for a distance of 50.48 feet;

THENCE North 00 degrees 30 minutes 01 seconds East for a distance of 984.23 feet to the north line of the NE¼SE¼;

THENCE South 89 degrees 12 minutes 54 seconds East along said ¼ section line for a distance of 50.00 feet to the Point of Beginning.

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

CONTRACT OF SALE

AGREEMENT MADE this 3rd day of September, 2019, by **NATHAN ROBINSON**, a single person as his sole and separate property, of Box 118, Oakley, Idaho 83346 ("**SELLER**") and **G5 LAND COMPANY, L.L.C.,** of 1310 South 600 West, Oakley, Idaho 83346 ("**BUYER**").

1. **RECITALS**: The recite and declare:

1.1 The Seller owns five (5) Water Rights, namely: 45-2363, 45-14377, 45-14379, 45-14381 and 45-11747, along with an eight tower Zimmatic Pivot SS# LD2463 and a 75 h.p. Layne Pump SS# L14050, herein called the ("**WATER RIGHTS & EQUIPMENT**").

2. **SALE**: The Buyer desires to buy the Water Rights and Equipment and the Seller is willing to sell the same to the Buyer.

3. **TERMS**: The parties have agreed on the buy and sell under the terms and conditions of this Agreement that follow.

4. **SALE**: The Seller shall sell to the Buyer the Water Rights and Equipment for cash in the amount of The purchase price shall be deposited in the Trust Account of Parsons, Smith, Stone, Loveland and Shirley, LLP to be disbursed subject to other terms of this Contract.

5. **PAYMENT**: Upon the approval of the transfer of the Water Rights to the Buyer and a Bill of Sale to the Equipment and the Easement from the Seller the firm of Parsons, Smith, Stone, Loveland and Shirley, LLP is instructed to pay the to

the Seller, assuming there are no liens on the Water Rights and/or Equipment or any other impairments.

6. **EASEMENT**: As further consideration for the purchase price the Seller will execute an easement to the Buyer described on Exhibit A attached hereto and incorporated herein by reference for the purpose of installing an underground pipeline that joins another pipeline of the Buyer.

7. **WARRANTY**: The Seller warrants that he has good title to the Water Rights and to the Equipment and is authorized to sell the same. The Seller will cause the name of KAYDEE ROBINSON to be removed from the Water Rights and will provide a Certificate from the Secretary of State that there are no filings on the Equipment. This will be a UCC report.

8. **COSTS**: All costs of the proposed transfer of the Water Rights shall be at the expense of the Buyer.

9. **COOPERATION**: The Seller agrees to cooperate with the Buyer in accomplishing the transfer of the Water Rights. There may be involvement with the Seller and the Idaho Department of Water Resources on the proposed transfer. It is the understanding of the parties that this Contract, together with the Application for Transfer, is satisfactory to the Department of Water Resources to start the process of approving or disapproving the transfer of the Water Rights.

10. **ATTORNEY FEES**: The prevailing party in any action arising under this Agreement shall be entitled to attorney fees and costs.

11. **TIME LIMIT**: If the approval of the Water Right transfer has not been accomplished one (1) year from the date of this Agreement then the Agreement shall be of

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

no further force and effect and the law firm holding the deposit shall return the same to the Buyer. The parties may extend the Contract if it is feasible in their joint minds.

IN WITNESS WHEREOF the parties have executed this Contract the day and year first above written.

SELLER

NATHAN ROBINSON

BUYER

G5 LAND COMPANY, L.L.C.

By _____
Title: President

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

STATE OF IDAHO)
) ss
County of Cassia)

On this 3rd day of September, in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **NATHAN ROBINSON** known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

SHELLY WARD
COMMISSION NO. 25975
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho
Residing at: Burley
Comm. Exp.: 05/30/20

STATE OF IDAHO)
) ss
County of Cassia)

On this 9th day of September, in the year 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared **RYAN CRANNEY**, known or identified to me to be the Member or Members of the Limited Liability Company of **G5 LAND COMPANY, L.L.C.** and the Member or one of the Members who subscribed said Limited Liability Company's name to the foregoing instrument, and acknowledged to me that he executed the same in said Limited Liability Company's name.

SHELLY WARD
COMMISSION NO. 25975
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho
Residing at: Burley
Comm. Exp.: 05/30/20

(G5LandCompany/RobinsonContract.doc)

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

EXHIBIT A

Part of the NE¼SE¼ of Section 35 in Township 13 South, Range 22 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the East ¼ corner of Section 35 in T. 13 S., R.22 E., B.M. said corner marked by a 5/8" rebar with a 3" aluminum cap on top which shall be the Point of Beginning;

THENCE South 00 degrees 30 minutes 01 seconds West along the east line of Section 35 for a distance of 990.92 feet to the centerline of Basin Road;

THENCE North 81 degrees 35 minutes 34 seconds West along said centerline for a distance of 50.48 feet;

THENCE North 00 degrees 30 minutes 01 seconds East for a distance of 984.23 feet to the north line of the NE¼SE¼;

THENCE South 89 degrees 12 minutes 54 seconds East along said ¼ section line for a distance of 50.00 feet to the Point of Beginning.

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
LAWYERS
BURLEY, IDAHO

0003507027

STATE OF IDAHO
Office of the secretary of state, Lawerence 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 #: 0003507027

Date Filed: 5/9/2019 11:35:04 AM

Entity Name and Mailing Address:

G5 LAND COMPANY, L.L.C.

The file number of this entity on the records of the Idaho Secretary of State is:	0000609584
Address	1310 S 600 W OAKLEY, ID 83346-9759

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:	W202175

The registered agent on record is:

Registered Agent	RYAN CRANNEY Registered Agent Physical Address 1310 S 600 W OAKLEY, ID 83346 Mailing Address

Limited Liability Company Managers and Members

Name	Title	Address
RYAN CRANNEY	Member	1310 S 600 W OAKLEY, ID 83346

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

JaNice Thompson
Sign Here

05/09/2019
Date

Signer's Title: Office Manager

B0248-7497 05/09/2019 11:35 AM Received by ID Secretary of State Lawerence Denney

D. L. Evans Bank
"Idaho's Hometown Community Bank Since 1904"

RECEIVED
FEB 12 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

2/7/2020

Rè: Nathan Robinson

To whom it May concern:

In exchange for payment of currently held in Escrow by William Parsons, D.L. Evans Bank will release our lien on the water rights owned by Nathan Robinson outlined below and referenced in the deed of trust for recorded in Cassia County as insturment number 2019-003466.

Water rights represented by Idaho State Department of Water Resources Water Right No. 45-2363 with a claimed priority of February 6, 1951 to 1.00 cfs of irrigation water from groundwater, Water Right No. 45-14377 with a claimed priority date of May 1, 1882 to 0.32 cfs of irrigation water from Mill Creek Sinks, Water Right No. 45-11747 with a claimed priority of June 30, 1963 to 0.12 cfs of stock water from groundwater, Water Right No. 45-14379 with a claimed priority of April 1, 1960 to 1.30 cfs of irrigation water from Mill Creek Sinks, Water Right No. 45-14381 with a claimed priority of December 31, 1879 to 0.11 cfs of irrigation water from Mill Creek Sinks and 0.02 cfs of stack water from Mill Creek Sinks together with any and all other water rights and ditch rights.; whether any of the foregoing is owned now or acquired later; all accessions, additions, replacements, and substitutions relating to any of the foregoing; all records of any kind relating to any of the foregoing.

Sincerely,

Jerri Tegan
VP Commercial Loan Officer
NMLS #720642
2281 Overland Ave.| Burley, ID 83318
Tel (208) 678-6000 | Fax (208) 678-6898
jtegan@dlevans.com | www.dlevans.com

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

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DEPT OF WATER RESOURCES
SOUTHERN REGION

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) G5 Land Company 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.

Yes	N/A		
☐	☑	#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: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) G5 Land Company LLC Phone 208-862-3346

Mailing address 1310 S 600 W, Oakley, ID 83316-9759 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 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	Print Name and Title if applicable	Date
Ryan Cranney	Ryan Cranney - President	02/13/20

Suspended

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 combine place of use

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 **Part1A.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**.
   See attached.

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SOUTHERN REGION

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.

All	or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use			Source & Tributary
☐	☐	45-2363	1.0	irrigation	4/1	to	10/31	groundwater
☐	☐	45-14377	0.32	irrigation	3/15	to	11/15	Mill Creek/Sinks
☐	☐	45-14379	1.3	irrigation	3/15	to	11/15	Mill Creek/Sinks
☐	☐	45-14381	0.11	irrigation	3/15	to	11/15	Mill Creek/Sinks
☐	☐	45-663	0.33	irrigation	3/15	to	11/15	Mill Creek/Sinks
☐	☐	45-680	1.15	irrigation/stockwater	3/15	to	11/15	Mill Creek/Sinks
☐	☐	45-660	1.11	irrigation	3/15	to	11/15	Mill Creek/Sinks
☐	☐	45-688	2.21	irrigation/stockwater	3/15	to	11/15	Mill Creek/Sinks
☐	☐					to		

Total authorized under rights 7.53 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or _____ 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**.

Suspended

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

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	
13S	22E	35							3.6	4.1	35.8	32.3	35.6	30.3			31.0		172.7
14S	22E	02		32.3	35.5		38.1	29.7	15.9	3.4						2.4			157.3
Stockwater																			
13S	22E	35							3.6	4.1	35.8	32.3	35.6	30.3			31		172.7
14S	22E	02		32.3	35.5		38.1	29.7	15.9	3.4						2.4			157.3
																		Total Acres (for irrigation use)	330

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:
Groundwater diversions have a full profile magnetic flowmeters in place. Surface water regulated by 45-A watermaster. Mainline from Robinson well will be connected to the G5 mainline that roughly follows the Mill Creek channel. Mainline system will be extended to the two new pivots in section 2.

b. Who owns the property at the point(s) of diversion? Nathan Robinson (GW diversion)
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
See attached documentation describing purchase of well.

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: _____

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:
Lands where water is transferred from will be dried and used for rangeland.

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:
All rights associated with lands are included in this combination.

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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: ______________

1. amount ______________ (cfs/ac-ft) for ______________ purposes from ________ to ________
   amount ______________ (cfs/ac-ft) for ______________ purposes from ________ to ________
   amount ______________ (cfs/ac-ft) for ______________ purposes from ________ to ________
   amount ______________ (cfs/ac-ft) for ______________ purposes from ________ to ________
   amount ______________ (cfs/ac-ft) for ______________ purposes from ________ to ________
   amount ______________ (cfs/ac-ft) for ______________ purposes from ________ to ________
   amount ______________ (cfs/ac-ft) for ______________ purposes from ________ to ________
   amount ______________ (cfs/ac-ft) for ______________ purposes from ________ to ________
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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	

Total Acres (for irrigation use) ______

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

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

☑ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If 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 #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

Supplemental

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

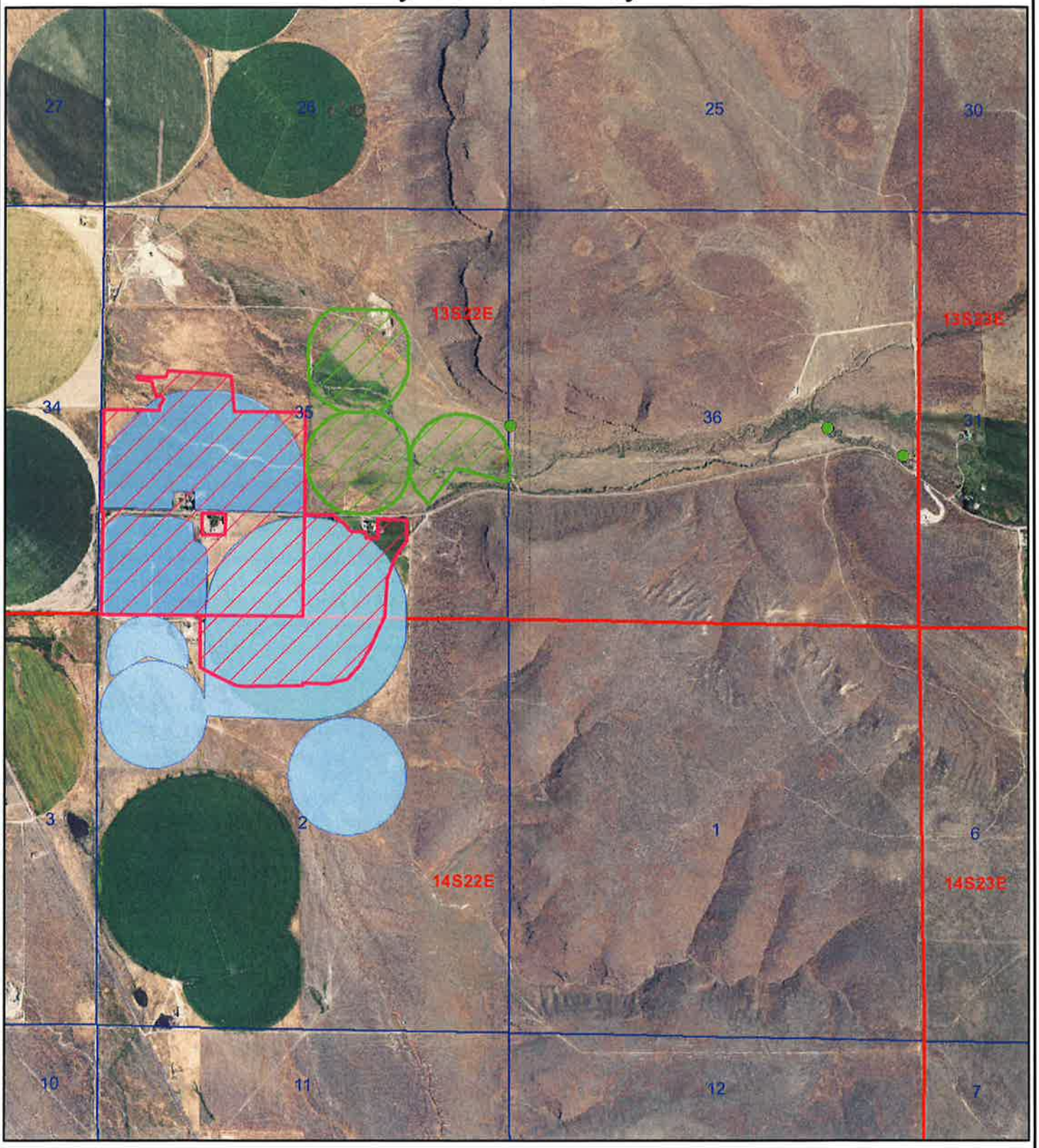
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid $1,060.00 Date 2/18/20 Receipted by SG Receipt # S037774

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

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

Cranney South Oakley Transfer



NATHAN ROBINSON

G5 LAND CO

POD

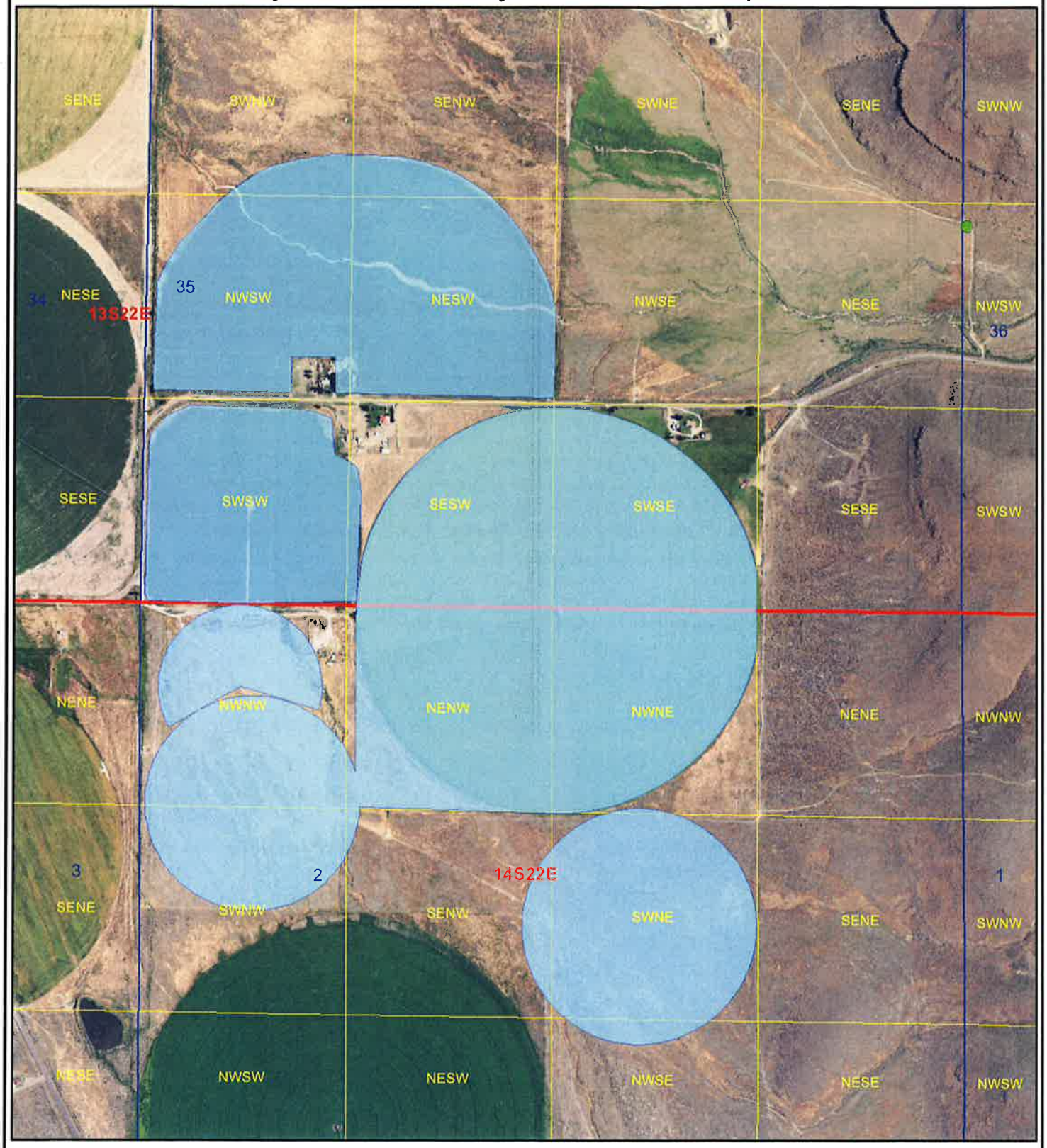
Requested POU

N

0 0.2 0.4 0.6 0.8 1 Miles

2017 NAIP Aerial Imagery
Current and proposed transfer place of use.

Cranney South Oakley Transfer - Proposed POU



POD

Requested POU

N

0 0.1 0.2 0.3 0.4 0.5 Miles

2017 NAIP Aerial Imagery
Proposed transfer place of use.

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 • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 8, 2020

G5 LAND COMPANY LLC
1310 S 600 W
OAKLEY ID 83346-9759

Re: Transfer No: 83910
Water Right No(s).: 45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379, 45-14381

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

NATHAN ROBINSON
KAYDEE ROBINSON
PO BOX 118
OAKLEY ID 83346

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

WATER DISTRICT 45A
DANIELLE BEDKE-HELMS
2110 S 50 E
OAKLEY ID 83346-8748

CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 83910
Water Right No(s).: 45-660, 45-663, 45-680, 45-688, 45-2363, 45-14377, 45-14379, 45-14381

G5 LAND COMPANY LLC
1310 S 600 W
OAKLEY ID 83346-9759

NATHAN ROBINSON
KAYDEE ROBINSON
PO BOX 118
OAKLEY ID 83346

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

WATER DISTRICT 45A
DANIELLE BEDKE-HELMS
2110 S 50 E
OAKLEY ID 83346-8748

Denise Maline

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) The petition for reconsideration is disposed of; or
(b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: March 30, 2020

To: Transfer 83910

From: Bill Mills

Re: Evaluation of Sufficiency of Information Submitted

Application proposes rearranging acres under 4 irrigation water rights and moving 4 irrigation water rights the applicant intends to purchase to create a combined 330 acre place of use (POU) for all 8 water rights. Approximately half of the ground in the POU (157.4 acres) is on new property the applicant recently acquired. All rights when combined will be limited to a diversion rate of 7.53 cfs and the irrigation of 330 acres. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 1.5 to 2.3 miles east and 1.5 miles south to 1.5 miles north of the center of Oakley.

The new grounds in the proposed POU are located in the NW1/4, NWNE, SWNE, SENE, and NWSE of Sec. 2, Twp 14S, Rge 22E and the water rights the applicant is purchasing and moving to this ground are currently utilized on adjacent grounds in the SWNE, NESE and NWSE of Sec. 35,Twp 13S, Rge 22E.

The water rights the applicant will acquire upon finalization of a contract of sale post transfer approval are as follows:

45-2363, for 1.0 cfs and 308.0 af for irrigation using ground water

45-14377, 0.32 cfs of irrigation using Mill Creek water

45-14379, 1.3 cfs of irrigation using Mill Creek water and

45-14381, 0.11 cfs of irrigation, 0.02 cfs and 1.2 af stockwater using Mill Creek water

The PODs and POU are located in Water District 45A and Water District 140. Watermaster comments were solicited. The Watermaster of Water District 45A did not oppose approval of this application and the Watermaster for Water District 140 did not provide comments.

This application only rearranges acres in the current POU and/or shifts acres to lands adjacent to current POUs and there is no actual hydrologic change. Therefore, pursuant to Section 42-222, Idaho Code, this transfer can be processed and approved without advertising.

- **Authority to File:** Applicant is listed as the current owner of water rights 45-660, 45-663, 45-680 and 45-688 and IDWR records indicate that the applicant owns the properties this group of rights are currently appurtenant to. A warranty deed was provided indicating the applicant owns the grounds that are proposed to be added to the place of use. A copy of the contract of sale was provided for water rights 45-2363, 45-14377, 45-14379 and 45-14381. The contract specifies that upon approval of the transfer application the applicant will finalize purchase of the water rights.

- **Water Right Validity:** Water rights 45-660, 45-663, 45-680 and 45-688 were decreed in the SRBA on 5/6/2005. Water rights 45-2363, 45-14377, 45-14379 and 45-14381 were decreed in the SRBA on 1/8/2007. Recent aerial imagery indicates grounds associated with the water rights appear irrigated.

- **Injury to Other Water Rights:**
  None anticipated.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No issues anticipated.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**
  None Anticipated.

- **Effect on Agricultural Base of the Local Economy:**
  None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RECEIVED
MAR 23 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

RE: Transfer No. 83910 (Water Right No(s).: 45-660, etc.)

Transfer Applicant's Name: G5 LAND COMPANY LLC
1310 S 600 W
OAKLEY ID 83346-9759

Watermaster's Recommendation:

a) DBA I do not oppose approval of this application.

b) _____ I do not oppose approval of this application if it is conditioned as follows:

c) _____ I oppose approval of this application for the following reasons:

d) _____ Additional comments:

Dated this 19 day of March, 2020

Water District 45A

Danielle Beth Helms
Watermaster's Signature

Danielle Beth Helms
Printed Name

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 5, 2020

BRIAN HIGGS
WATER DISTRICT 140
355 W 500 S
BURLEY, ID 83318

RE: Transfer No. 83910 (G5 Land Company LLC)
Water Right No(s).: 45-660, etc.

Dear Brian:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed for your reference. You can also find additional information related to this 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)

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 5, 2020

DANIELLE BEDKE HELMS
WATER DISTRICT 45A
2110 S 50 E
OAKLEY ID 83346-8748

RE: Transfer No. 83910 (G5 Land Company LLC)
Water Right No(s).: 45-660, etc.

Dear Danielle:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of this application is enclosed for your reference. 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)

MEMORANDUM

Date: March 4, 2020

To: Transfer 83910

From: William Mills

Re: Legal Notice Not Required

This application only modifies the place of use and there is no actual hydrologic change. Therefore, pursuant to Section 42-222, Idaho Code, this transfer can be processed and approved without advertising.

Legal Notice Not Required
3/4/2020
Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

Date: March 4, 2020

To: Transfer 83910

From: Bill Mills

Re: Fee Evaluation

Filing fees charged for transfer application #83910 were based on the on the current transfer fee schedule and included $1060.00 for the 7.53 cfs being transferred in the application (Receipt No.S037774).

Mills, Bill

From: Ryan Cranney <ryan@safelink.net>
Sent: Thursday, February 27, 2020 1:55 PM
To: Mills, Bill
Subject: RE: Application for transfer water Rights

Ok thank you. Ryan

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: "Mills, Bill" <William.Mills@idwr.idaho.gov>
Date: 2/27/20 12:52 PM (GMT-07:00)
To: Ryan Cranney <ryan@safelink.net>
Subject: RE: Application for transfer water Rights

Ryan,

Whoops, my bad. Sorry about that, my apologies. I overlooked that as I was focused on the pivot. You're correct. I think we're good then. I do need you to either send in the original signed copy of the application with the map or bring it in. I'll start processing the application, once we have the original signed copy we should have all we need. Thanks for getting it all together for us.

Bill

From: Ryan Cranney [mailto:ryan@safelink.net]
Sent: Thursday, February 27, 2020 12:42 PM
To: Mills, Bill <William.Mills@idwr.idaho.gov>
Subject: RE: Application for transfer water Rights

Bill could it be this as circled in red?

Ryan

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------

From: "Mills, Bill" <William.Mills@idwr.idaho.gov>

Date: 2/27/20 12:14 PM (GMT-07:00)

To: Ryan Cranney <ryan@safelink.net>

Subject: RE: Application for transfer water Rights

Ryan,

The map looks great! I hate to be a stickler, but the map and the acres on the transfer don't quite match and they need to for the application to be acceptable for processing. The transfer application indicates the pivot still slightly overlaps into the SENW1/4 by 0.4 acres (which would be okay based on parcel ownership) but the map shows the pivot completely out of the SENW1/4. The Department requires the shape on the map and the acres on the transfer application to match for an application to be acceptable. If the map was changed to match the acres on the application, or if the application was changed to match the map, either scenario would work for us.

Thanks,

Bill

From: Ryan Cranney [mailto:ryan@safelink.net]
Sent: Thursday, February 27, 2020 8:44 AM
To: Mills, Bill <William.Mills@idwr.idaho.gov>
Subject: RE: Application for transfer water Rights

Bill,

Here you go. I hope this finally does the trick.

Thanks for the help on this.

Ryan

From: Mills, Bill <William.Mills@idwr.idaho.gov>
Sent: Tuesday, February 25, 2020 9:06 AM

To: Ryan Cranney <ryan@safelink.net>
Subject: RE: Application for transfer water Rights

Ryan,

That would be great. However, We'll also need a new signed transfer application that reflects the actual shift in acres under that pivot because the acres in the place of use will change as the pivot moves. Currently, the transfer application indicates there are 3.4 acres in the SENW (partially on Matthews property) and I'm assuming those acres will move to the east into one or up to three or four quarter/quarter tracts depending on how the proposed pivot is shifted.

Thanks,

Bill

From: Ryan Cranney [mailto:ryan@safelink.net]
Sent: Monday, February 24, 2020 4:22 PM
To: Mills, Bill <William.Mills@idwr.idaho.gov>
Subject: RE: Application for transfer water Rights

Bill,

I see the error, whoops. Do you want me to send you a new map with the change or can you just shift the pivot to the east so that it is off the Matthews property? Just let me know.

Thanks,

Ryan Cranney

208-300-3227

From: JaNice Thompson <cranneyfarms@gmail.com>
Sent: Monday, February 24, 2020 4:02 PM
To: Ryan Cranney <ryan@safelink.net>
Subject: Fwd: Application for transfer water Rights

---------- Forwarded message ---------
From: **Mills, Bill** <William.Mills@idwr.idaho.gov>

Date: Mon, Feb 24, 2020, 3:36 PM
Subject: RE: Application for transfer water Rights
To: Cranney Farms <cranneyfarms@gmail.com>

JaNice,

The deeds and the letter from D.L Evans were very helpful, and they resolved the majority of the issues with this application for transfer. However, there is one minor issue that remains to be addressed. The small pivot proposed on the south end overlaps what appears to be Blake Matthews property (see attached map) by 3.4 acres in the SENW1/4 of Section 2, Township 14 South, Range 22 East. Unless, there is another warranty deed that covers that land, we will need some kind of permission from the current land owner to proceed with the transfer. I can write a water sharing agreement that would need to be signed by the property owner and Ryan, that would resolve the issue. Or we can shift the pivot to the east so it is completely on G5 lands and amend the transfer application. Should I call Ryan?

Thanks,

Bill Mills

From: Cranney Farms [mailto:cranneyfarms@gmail.com]
Sent: Monday, February 24, 2020 11:31 AM
To: Mills, Bill <William.Mills@idwr.idaho.gov>
Subject: RE: Application for transfer water Rights

Here is the permission from lien holder, so this should complete everything you were needing. I hope!

Thank you

JaNice Thompson

Office Manager

Cranney Farms

208-862-3346 Phone

From: Mills, Bill [mailto:William.Mills@idwr.idaho.gov]
Sent: Monday, February 24, 2020 10:26 AM
To: Cranney Farms <cranneyfarms@gmail.com>
Subject: RE: Application for transfer water Rights

Thank you!

Bill

From: Cranney Farms [mailto:cranneyfarms@gmail.com]
Sent: Monday, February 24, 2020 10:19 AM
To: Mills, Bill <William.Mills@idwr.idaho.gov>
Subject: Application for transfer water Rights

Attached please find the warranty deed and water rights change, for 45-2363, 45-14377, 45-14379, 45-14381, 45-663, 45-680, 45-660, and 45-688.

We are still working on the permission from the lien holder, so as soon as we have that we will also send it right over.

If you have any questions please give me a call.

Thank you

JaNice Thompson

Office Manager

G5 Land Co. LLC

208-862-3346 Phone

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

February 20, 2020

G5 Land Co. LLC
C/O Ryan Cranney
1310 S 600 W
Oakley, ID 83316-9759

RE: Application for Transfer for Water Rights 45-2363, 45-14377, 45-14379, 45-14381, 45-663, 45-680, 45-660 and 45-688

Dear Mr. Cranney:

This letter is in reference to an application for transfer that you submitted to the Department on 2/18/2020. Review of the application indicates it is incomplete as submitted and cannot be processed without additional documentation. We will hold the application for 30 days to allow you time to submit the required items. The required information is described below.

No proof of ownership or permission from the property owner, such as a copy of a warranty deed or a water sharing agreement, was provided for the new ground where portions of the water rights are proposed to be moved to. The lands in question are located in the NWNW (Government Lot 4), SWNW and the SWNE of Section 2, Township 14 South, Range 22 East, B.M.

I will hold the application for transfer for 30 days to allow you time to provide the requested documentation. If no documentation addressing the ownership of the property and or permission to irrigate the property is received in that time frame, the application for transfer will be returned to you and the submitted application filing fee will be refunded to Cranney Farms ($1060.00, receipt #S037774).

Sincerely,

Bill Mills
Sr. Water Resource Agent
Southern Regional Office

c:D L Evans Bank

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP
ATTORNEYS AT LAW
137 WEST 13TH STREET
P.O. BOX 910
BURLEY, IDAHO 83318

WILLIAM PARSONS
LANCE A. LOVELAND
DAVID F. SHIRLEY
JASON R. NAESS
SCOTT B. LINDSTROM

OF COUNSEL
RICHARD K. SMITH
RANDOLPH C. STONE

February 10, 2020

RECEIVED
FEB 12 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

Corey Skinner
Idaho Dept. of Water Resources
650 Addison Avenue W., Ste. 500
Twin Falls, ID 83301-5858

RE: G5 - Nathan Robinson
Our File No. 7431.190040

Dear Corey:

I'm enclosing a copy of the letter that I requested from D. L. Evans Bank to send to you.

I hope this is sufficient to allow you to proceed with the work on the transfer that Ryan Cranney has put in.

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP

William A. Parsons

William A. Parsons

WAP/sw
Enc.

TELEPHONE: 208-878-8382 FAX: 208-878-0146