

MEMORANDUM

Date: March 14, 2018
To: Transfer 81333
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer rearranges the place of use and adds two points of diversion to right 35-8932. It also drops the 10 acre designation from the pre-transfer point of diversion.

Authority to File:

The applicant, MPH Farms has the authority to file. MPH Farms is the owner of record for water right 35-8932. According to Power County taxlot data, MPD Holding, LLC owned the pre-transfer and post-transfer places of use. Applicant, MPH Farms provided a quitclaim deed, recorded with Power County on March 30, 2018, conveying all of the property associated with this transfer from MPD Holding, LLC to MPH Farms, LLC.

Water Right Validity:

The water right is valid. It was licensed in 2001. Review of post-decree aerial photography indicates consistent irrigation.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer.

The transfer was advertised and protested by the Idaho Ground Water Appropriators, A&B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company.

The protests were withdrawn as part of a "Stipulation to Settlement of Protests" and an "Amended Stipulation of Settlement of Protests". Those Stipulations specified that the Department include certain Conditions of Approval on the water right. Those Conditions of Approval were included on the water right as part of the transfer's approval.

The Watermaster for Water District 120 was notified of the transfer and did not provide comment.

Enlargement of Use:

This transfer will not result in any enlargement of use. Rate, volume, nor irrigated acres are authorized to increase.

A number of the acres authorized for rearrangement are from places of use that were decreed onto rock piles. The applicants assert that they will use pivots which are able to shut sprinklers off in pre-determined locations.

Water right 35-8932 included a combined rate limit with water right 35-7984 at the original point of diversion. This combined rate limit will be carried forward, even though the water right can now be diverted from two additional wells.

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

QUITCLAIM DEED

RECEIVED
MAR 30 2018
Department of Water Resources
Eastern Region

FOR VALUE RECEIVED, MPD Holding LLC, Grantor, does hereby convey,
release, remise and forever quit claim unto MPH Farms LLC whose current
address is: 2935 W. 2050 S. Aberdeen, ID 83210
the following described premises, to-wit:

Township 6 South, Range 29 East, Boise meridian, Power County, Idaho
Section 8: N $\frac{1}{2}$, SE $\frac{1}{4}$ Section 9: W $\frac{1}{2}$ Section 15: SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Excepting therefrom: A parcel of land located in the NW $\frac{1}{4}$
SW $\frac{1}{4}$ Section 15, Township 6 South, Range 29 East, Boise
Meridian, Power County, Idaho, described as follows:

beginning at the west quarter corner of Section 15; thence
South 900 feet; thence East 300 feet; thence North 900 feet;
thence West 300 feet to the point of beginning.

Section 16: All Section 17: NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ county.

Together with the appurtenances. This deed is intended to convey to the Grantee all right, title, and
interest of the Grantor in and to said property, now owned or hereafter acquired.

Date: 3-30-18

By: MPD Holding LLC *[Signature]*
Grantor's Signature

Instrument # 212412

POWER COUNTY, IDAHO

3-30-2018 02:09:46 PM No. of Pages: 1

Recorded for: MPD HOLDING LLC

SHARIE SPRAGUE

Ex-Officio Recorder Deputy *[Signature]* Fee: 15.00

State of Idaho)
County of Bingham) S.S.

On this 30th day of March, in the year 2018, before me, the undersigned, a
Notary Public in and for said state, personally appeared
MPD Holding LLC (Daryl Klassen), proved to me on the basis of satisfactory evidence to
be the person(s) whose name(s) is(are) subscribed to the within instrument, and acknowledged to me that
he(he)(they) executed the same.

JERI DAWN JOLLEY
Notary Public
State of Idaho

[Signature]
Notary Public for Idaho
Residing at: Aberdeen

My Commission Expires on _____

MY COMMISSION EXPIRES
December 29, 2018
BONDED THRU NOTARY PUBLIC UNDERWRITERS