

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82008**

This is to certify that: NATURE RIDGE HOLDINGS LLC
872 E PEBBLE DR
BURLEY, ID 83318

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-13741	WR/DECREED	7/25/1973	14.340 cfs	4753.0 af	1161.4	1163.4	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-13741	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-13741	43-13741	14.340 cfs	4753.0 af	N/A	1161.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		14.340 cfs	4753.0 af	N/A	1161.4		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 5th day of February, 2018.



Southern Region Manager

WATER RIGHT NO. 43-13741**As Modified by Transfer No. 82008**

In accordance with the approval of Transfer No. 82008, Water Right No. 43-13741 is now described as follows:

Right Holder: NATURE RIDGE HOLDINGS LLC
872 E PEBBLE DR
BURLEY, ID 83318

Priority Date: 7/25/1973

Source: GROUND WATER

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1 /1	to 12/31	0.580 cfs	107.4 af
IRRIGATION	03/15	to 11/15	13.760 cfs	4645.6 af
STOCKWATER	1 /1	to 12/31	0.580 cfs	107.4 af
			14.340 cfs	4753.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 5	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	NWNWSW	Sec 5	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	SESESW	Sec 5	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	NENE	Sec 8	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	NWNW	Sec 8	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	SWSWNW	Sec 8	Twp 10S	Rge 28E	CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	28E	4						X	X										
								L 4											
10S	28E	5													X	X	X	X	

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	28E	4	11.7	34.6	30.5	19.1		3.2	4.3		34.2	33.0	34.6	37.7	38.8	39.9	34.6	11.2	367.4
								L 4											
10S	28E	5	35.9	28.2	37.7	38.1	33.3	30.3	32.3	39.3	36.2	29.5	33.8	33.3	3.3	13.5	11.7	30.8	467.2
			L 1	L 2			L 3	L 4											
10S	28E	8	20.9	21.3	37.7	33.7	31.8	27.6	33.1	39.2	25.4	3.1			25.9	27.1			326.8

POU Total Acres: 1161.4

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	28E	4						X	X										

Transfer No. 82008

WATER RIGHT NO. 43-13741**As Modified by Transfer No. 82008****PLACE OF USE: STOCKWATER**

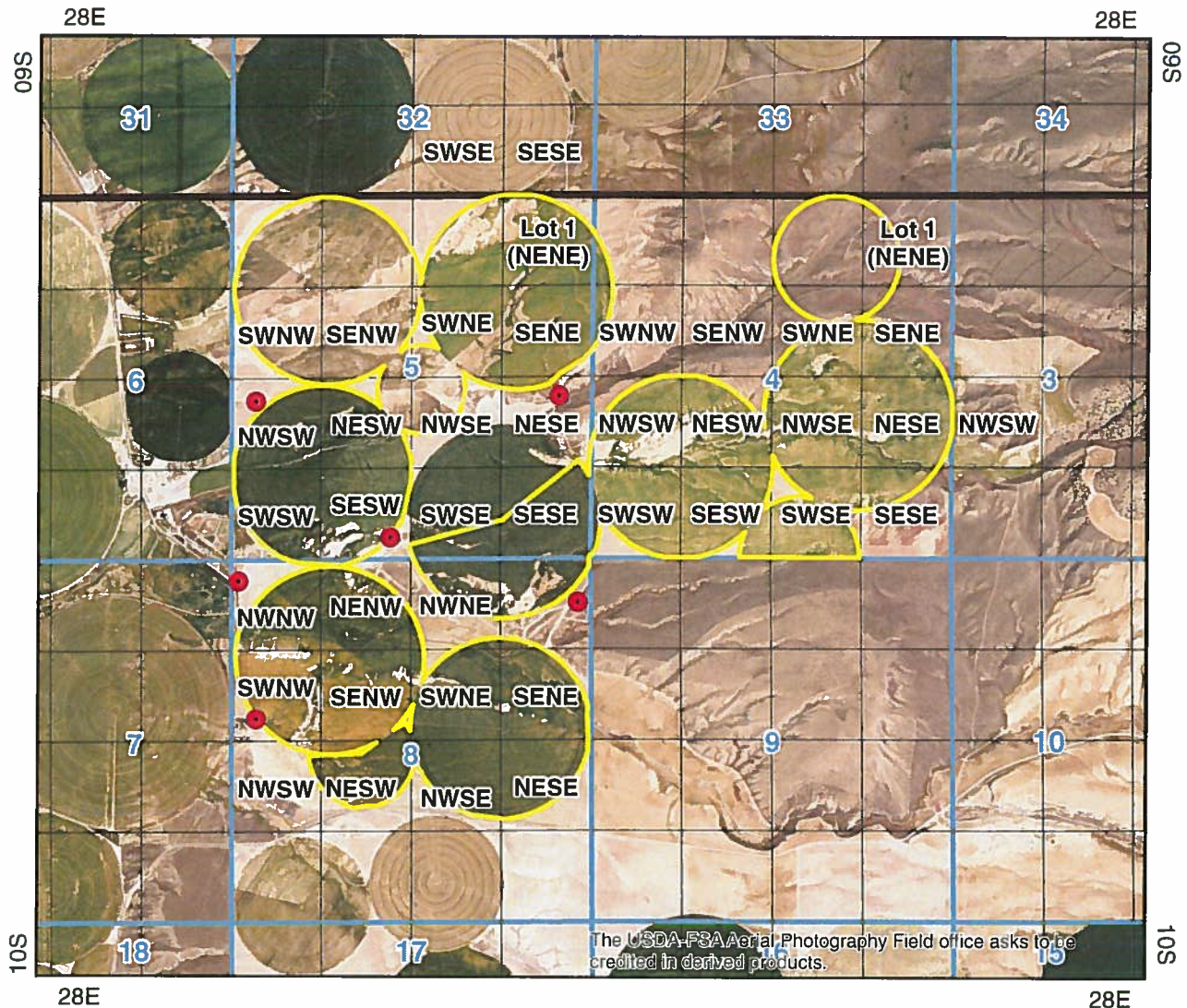
Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	28E	5						L 4							X	X	X	X	

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
2. 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).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Commercial use is for a dairy operation.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources
Attachment to Transfer # 82008
43-13741

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



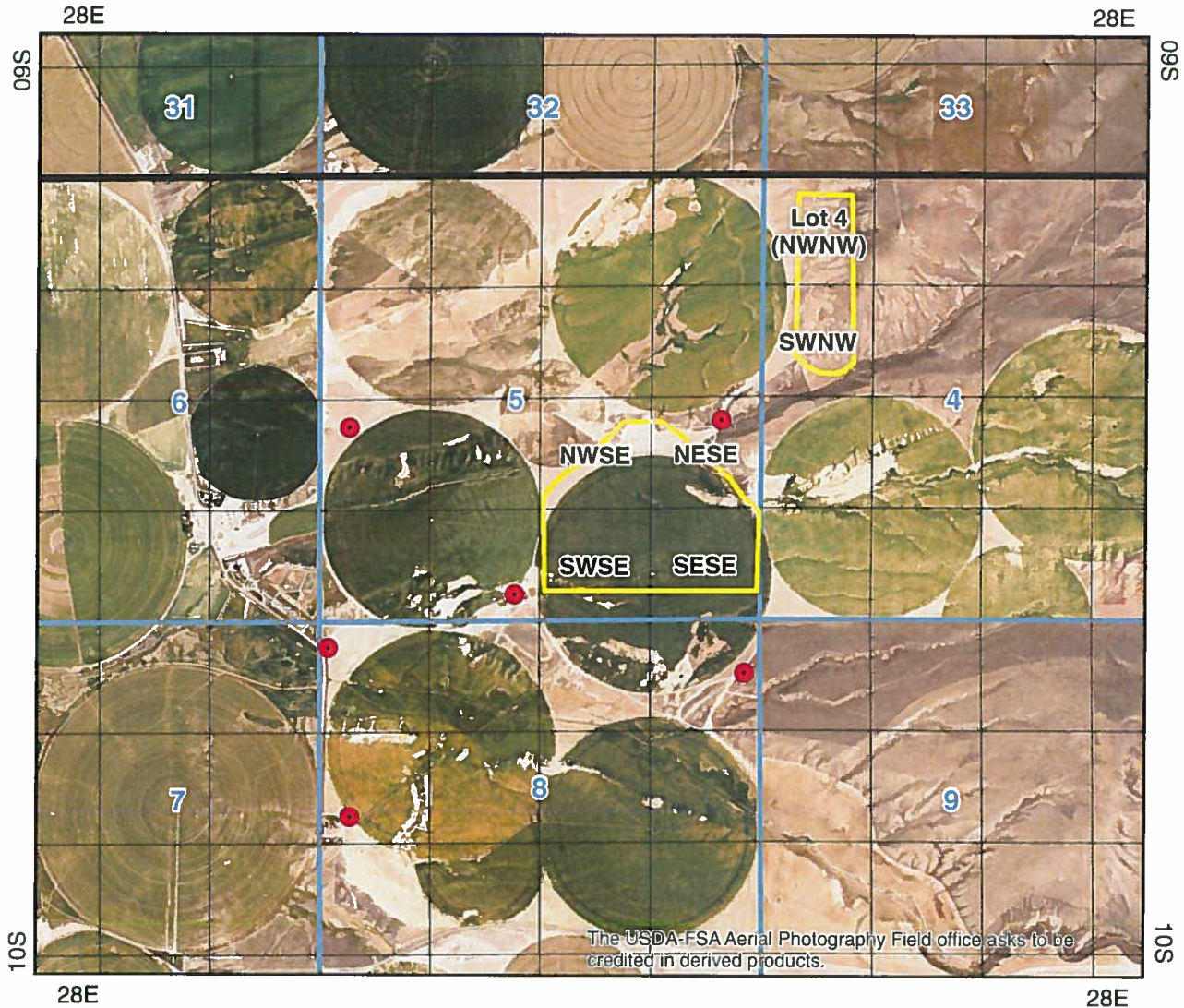
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.3 0.6 1.2 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer # 82008
43-13741

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



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.25 0.5 1 Miles



NOV 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82008

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 www.idwr.idaho.gov.

Name of Applicant(s) NATURE RIDGE HOLDINGS 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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. 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: _____

OCT 19 2017

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 82008MINIMUM 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 www.idwr.idaho.gov.

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- ☒ * 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.)

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- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) NATURE RIDGE HOLDINGS LLC Phone (208)654-2733
Mailing address 872 E PEBBLE DR BURLEY, ID 83318 Email _____

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

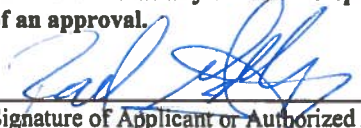
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543
Mailing address 2016 N Washington St Suit 4 Twin Falls, Idaho 83301 Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant. greg.sullivan@brockwayen
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

Rae Gibby, manager
of Member Evard, LLC
Print Name and Title if applicable

11/15/17
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
Transfer irrigation acres to an existing farm with existing wells, mainlines and delivery systems.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) NATURE RIDGE HOLDINGS LLC Phone (208)654-2733

Mailing address 872 E PEBBLE DR BURLEY, ID 83318 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**.
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- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

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

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543

Mailing address 2016 N Washington St Suit 4 Twin Falls, Idaho 83301 Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant. greg.sullivan@brockwayen
- 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 Deed Gibby, member Evand LLC

Date 10-9-17

Signature of Applicant or Authorized Representative _____

Print Name and Title if applicable _____

Date _____

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

Transfer irrigation acres to an existing farm with existing wells, mainlines and delivery systems.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	43-13741	13.95/4712.4	Irrigation	3/15 to 11/15	Ground Water
☐ ☐		0.58/107.4	Commercial	1/01 to 12/31	Ground Water
☐ ☐		0.58/107.4	Stockwater	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 14.34 cfs and/or 4753.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.69 cubic feet per second and/or 233.2 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	
10S	28E	4	11.7	34.6	30.5	19.1		3.2	4.3		34.2	33	34.6	37.7	38.8	39.9	34.6	11.2	367.4
		5	35.9	28.2	37.7	38.1	33.3	30.3	32.3	39.3	36.2	29.5	33.8	33.3	3.3	13.5	11.7	30.8	467.2
		8	20.9	21.3	37.7	33.7	31.8	27.6	33.1	39.2	25.4	3.1			25.9	27.1			326.8
Total Acres (for irrigation use)																			1161.4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	43-13741	13.95/4712.4	Irrigation	3/15 to 11/15	Ground Water
☐ ☐		0.58/107.4	Commercial	1/01 to 12/31	Ground Water
☐ ☐		0.58/107.4	Stockwater	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 17.02 cfs and/or 5659.4 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.74 cubic feet per second and/or 249.2 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	28E	4	11.7	34.6	30.5	19.1	3.2	4.3			34.2	33	34.6	37.7	38.8	39.9	34.6	11.2	367.4
		5	35.9	28.2	37.7	38.1	33.3	30.3	32.3	39.3	36.2	29.5	33.8	33.3	3.3	13.5	11.7	30.8	467.2
		8	20.9	21.3	37.7	33.7	31.8	27.6	33.1	39.2	25.4	3.1			25.9	27.1			326.8
Total Acres (for irrigation use)																			1161.4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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NOV 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

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:

Existing wells, mainlines and delivery systems.

- b. Who owns the property at the point(s) of diversion? Nature Ridge Holdings LLC.

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Rabo AgriFinance

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The land will not longer be able to be irrigated.

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

The stock and commercial portions of 43-13741 will not be changing with this transfer.

- 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:

Water right 43-13741 was in a Federal set aside program until 2015.

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:

Existing wells, mainlines and delivery systems.

- b. Who owns the property at the point(s) of diversion? Nature Ridge Holdings LLC.

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Rabo AgriFinance

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The land will not longer be able to be irrigated.

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

N/A

- 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:

Water right 43-13741 was in a Federal set aside program until 2015.

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NOV 27 2017

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

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 @ www.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 @ www.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: 43-13741

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

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

Current Water Right No.: 43-13741

Current Owner: NATURE RIDGE HOLDINGS LLC

Priority Date: 7/25/1973

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	16.44 CFS	5552 AF
COMMERCIAL	1 /1 to 12/31	0.58 CFS	107.4 AF
STOCKWATER	1 /1 to 12/31	0.58 CFS	107.4 AF
	<u>Total Diversion</u>	17.02 CFS	5659.4 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 8,	Twp 10S,	Rge 28E B.M.
CASSIA County				
GROUND WATER	NE1/4SE1/4	Sec. 5,	Twp 10S,	Rge 28E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4	Sec. 8,	Twp 10S,	Rge 28E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 5,	Twp 10S,	Rge 28E B.M.
CASSIA County				
GROUND WATER	SE1/4SE1/4SW1/4	Sec. 5,	Twp 10S,	Rge 28E B.M.
CASSIA County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 8,	Twp 10S,	Rge 28E B.M.
CASSIA County				

Place of Use

IRRIGATION Within CASSIA County

T10S R28E S4		SWNE	22.00	T10S R28E S4		SENE	22.00
T10S R28E S4	Lot 4	NWNW	5.40	T10S R28E S4		SWNW	3.60
T10S R28E S4		NESW	40.00	T10S R28E S4		NWSW	38.00
T10S R28E S4		SWSW	40.00	T10S R28E S4		SESW	40.00
T10S R28E S4		NESE	40.00	T10S R28E S4		NWSE	40.00
T10S R28E S4		SWSE	40.00	T10S R28E S4		SESE	40.00
T10S R28E S5	Lot 1	NENE	38.00	T10S R28E S5	Lot 2	NWNE	40.00
T10S R28E S5		SWNE	40.00	T10S R28E S5		SENE	38.00
T10S R28E S5	Lot 3	NENW	40.00	T10S R28E S5	Lot 4	NWNW	40.00
T10S R28E S5		SWNW	40.00	T10S R28E S5		SENE	40.00
T10S R28E S5		NESW	39.00	T10S R28E S5		NWSW	40.00
T10S R28E S5		SWSW	40.00	T10S R28E S5		SESW	40.00
T10S R28E S5		NESE	4.50	T10S R28E S5		NWSE	15.50
T10S R28E S5		SWSE	40.00	T10S R28E S5		SESE	40.00
T10S R28E S8		NENE	33.00	T10S R28E S8		NWNE	40.00
T10S R28E S8		SWNE	40.00	T10S R28E S8		SENE	33.00
T10S R28E S8		NENW	40.00	T10S R28E S8		NWNW	39.00
T10S R28E S8		SWNW	40.00	T10S R28E S8		SENE	40.00
T10S R28E S8		NESW	29.00	T10S R28E S8		NWSW	38.00
T10S R28E S8		SWSW	2.00	T10S R28E S8		NESE	38.00
T10S R28E S8		NWSE	32.00				

Total Acres: 1390

COMMERCIAL Within CASSIA County

T10S R28E S4	Lot 4	NWNW		T10S R28E S4		SWNW	
T10S R28E S5		NESE		T10S R28E S5		NWSE	
T10S R28E S5		SWSE		T10S R28E S5		SESE	

STOCKWATER Within CASSIA County

T10S R28E S4	Lot 4	NWNW		T10S R28E S4		SWNW	
T10S R28E S5		NESE		T10S R28E S5		NWSE	
T10S R28E S5		SWSE		T10S R28E S5		SESE	

Conditions of Approval:

1. X05 Commercial use is for a dairy operation.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
3. 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 lands above.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. X27 This right is limited to the irrigation of 1388.0 acres within the place of use described above in a single irrigation season.
9. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
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(s).

Decreed Date: 6/28/2002

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NOV 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

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:

[illegible]**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments.

Received by sm Date 11-27-2017 Preliminary check by _____ Date _____

Fee paid see original Date _____ Received by _____ Receipt # _____

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

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

Cassia, Idaho

PROGRAM YEAR: 2014

FSA - 578 (09-13-16)

REPORT OF COMMODITIES FARM AND TRACT DETAIL LISTING

DATE: 9-20-2017

PAGE: 1

Farm Number: 1006

Original: _____

Operator Name and Address

Revision: _____

CONDIE BROS
4625 W 4100 S
SALT LAKE CITY, UT 84120-4945

Cropland: 1599.01

Farmland: 1661.89

Tract Number	CLU/Field	Crop/Commodity	Variety/Type	Irr Prc	Int Use	Actual Use	Land Use	C/C Status	Reporting Unit	Reported Quantity	Determined Quantity	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
1719	1	CRP	04D	N				I	A	6.39		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	2	CRP	04D	N				I	A	17.52		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	3	CRP	04D	N				I	A	44.81		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	4	CRP	04D	N				I	A	14.22		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	5	CRP	04D	N				I	A	20.79		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	6	CRP	04D	N				I	A	45.47		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	7	CRP	04D	N				I	A	134.10		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	8	CRP	04D	N				I	A	155.86		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	9	CRP	04D	N				I	A	39.04		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	10	CRP	04D	N				I	A	45.46		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	12	CRP	04D	N				I	A	4.43		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	13	GRASS	WCR	N	GZ			I	A	5.47		Yes			4-1-2008	01	2020
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	14	CRP	04D	N				I	A	4.11		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	15	CRP	04D	N				I	A	3.77		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	16	CRP	04D	N				I	A	13.79		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	17	CRP	04D	N				I	A	125.58		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	18	CRP	04D	N				I	A	4.44		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	19	CRP	04D	N				I	A	141.13		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539

TRANSFER 82008

Cassia, Idaho

FSA - 578 (02-01-91)

Farm Number: 1006

PROGRAM YEAR: 2014

DATE: 9-20-2017

PAGE: 2

REPORT OF COMMODITIES FARM AND TRACT DETAIL LISTING

Tract Number	CLU/Field	Crop/Commodity	Variety/Type	Irr Prc	Int Use	Actual Use	Land Use	C/C Status	Reporting Unit	Reported Quantity	Determined Quantity	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
1719	20	CRP	04D	N				I	A	5.96		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	21	CRP	04D	N				I	A	70.13		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	22	CRP	04D	N				I	A	136.56		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	23	CRP	04D	N				I	A	22.57		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	24	CRP	04D	N				I	A	40.90		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	25	CRP	04D	N				I	A	160.30		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	26	CRP	04D	N				I	A	2.68		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	27	CRP	04D	N				I	A	15.48		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	28	CRP	04D	N				I	A	14.53		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	29	CRP	04D	N				I	A	11.66		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	30	CRP	04D	N				I	A	62.60		Yes				01	2022
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
Cr/Co	Var/Type	Irr Prc	Int Use	Non-Irr	Irr	Cr/Co	Var/Type	Irr Prc	Int Use	Non-Irr	Irr	Cr/Co	Var/Type	Irr Prc	Int Use	Non-Irr	Irr
GRASS	WCR	N	GZ	5.47		CRP	04D	N		1364.08							
Photo Number/Legal Description: HH6,8 JJ6 S4,5,8 T10 R28																	
Cropland: 1369.55						Reported on Cropland: 1369.55						Difference: 0.00					
1755	1	CRP	04D	N				I	A	10.48		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	2	CRP	04D	N				I	A	10.36		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	3	CRP	04D	N				I	A	45.46		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	4	CRP	04D	N				I	A	12.82		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	5	CRP	04D	N				I	A	118.40		Yes				01	2021
		Producer	CONDIE BROS					Share	100.00			RMA Unit				NAP Unit	539
	6	CRP	04D	N				I	A	9.38		Yes				01	2021

Cassia, Idaho

FSA - 578 (02-01-91)

Farm Number: 1006

REPORT OF COMMODITIES FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2014

DATE: 9-20-2017

PAGE: 3

Tract Number	CLU/ Field	Crop/ Commodity	Variety/ Type	Irr Prc	Int Use	Actual Use	Land Use	C/C Status	Reporting Unit	Reported Quantity	Determined Quantity	Crop Land	Field ID	Official/ Measured	Planting Date	Planting Period	End Date	
1765	7	Producer	CONDIE BROS					Share	100.00			RMA Unit					NAP Unit 539	
		CRP	04D	N				I	A	22.54		Yes				01	2021	
		Producer	CONDIE BROS					Share	100.00			RMA Unit					NAP Unit 539	
Cr/Co	Var/Type	Irr Prc	Int Use	Non-Irr	Irr		Cr/Co	Var/Type	Irr Prc	Int Use	Non-Irr	Irr	Cr/Co	Var/Type	Irr Prc	Int Use	Non-Irr	Irr
CRP	04D	N		229.46														
Photo Number/Legal Description: HH8 S8 T10 R28																		
Cropland: 229.46						Reported on Cropland: 229.46					Difference: 0.00		Reported on Non-Cropland: 0.00					

Cassia, Idaho

FSA - 578 (09-13-16)

Farm Number: 1006

Operator Name and Address

CONDIE BROS
4625 W 4100 S
SALT LAKE CITY, UT 84120-4945

REPORT OF COMMODITIES FARM SUMMARY

PROGRAM YEAR: 2014

DATE: 9-20-2017
PAGE: 4

Original: _____

Revision: _____

Cropland: 1,599.01

Farmland: 1,661.89

NOTE: The authority for collecting the following information is Pub.L. 107-76. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

Producer Name				Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share	Crop/ Commodity	Variety/ Type	Share
CONDIE BROS				CRP	04D	100.00	GRASS	WCR	100.00						
Crop/ Commodity	Variety/ Type	Irrigation Practice	Intended Use	Reported Quantity	Determined Quantity		Crop/ Commodity	Variety/ Type	Irrigation Practice	Intended Use	Reported Quantity	Determined Quantity			
GRASS	WCR	N	GZ	5.47			CRP	04D	N		1593.54				

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

Operator's Signature (By)

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

This form is available electronically.

CRP-1 (07-23-10)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. ST. & CO. CODE & ADMIN. LOCATION 16031	2. SIGN-UP NUMBER 41
CONSERVATION RESERVE PROGRAM CONTRACT				3. CONTRACT NUMBER 10006	4. ACRES FOR ENROLLMENT 572.1
NOTE: The authority for collecting the following information is Pub. L. 107-171. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.				5. FARM NUMBER 0001006	6. TRACT NUMBER(S) 0001719
7. COUNTY OFFICE ADDRESS (Include Zip Code): CASSIA COUNTY FARM SERVICE AGENCY 1361 E 16TH ST BURLEY, ID 83318-2008				8. OFFER (Select one) GENERAL ☒ FROM: (MM-DD-YYYY) 10/01/2011 ENVIRONMENTAL PRIORITY ☐ TO: (MM-DD-YYYY) 09/30/2021	
TELEPHONE NUMBER (Include Area Code):					
THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such liquidated damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1, CRP-1 Appendix and any addendum thereto, CRP-2 or CRP-2C, if applicable; and, if applicable, CRP-15.					
10A. Rental Rate Per Acre \$60.00		11. Identification of CRP Land (See Page 2 for additional space)			
B. Annual Contract Payment \$34326		A. Tract No. 0001719	B. Field No. 0019	C. Practice No. CP4D	D. Acres 134.1
C. First Year Payment		0001719	0019	CP4D	141.1
(Item 10C applicable only to continuous sign-up when the first year payment is prorated.)		0001719	0022	CP4D	136.6
12. PARTICIPANTS					
A(1). PARTICIPANTS NAME AND ADDRESS (Zip Code): CONDIE BROS 4625 W 4100 S SALT LAKE CITY, UT 84120-4945		(2) SHARE 100.00%	(3) SOCIAL SECURITY NUMBER: (4) SIGNATURE (If more than three individuals are signing, continue on attachment.)		
B(1). PARTICIPANTS NAME AND ADDRESS (Zip Code): N/A		(2) SHARE %	(3) SOCIAL SECURITY NUMBER: (4) SIGNATURE (If more than three individuals are signing, continue on attachment.)		
C(1). PARTICIPANTS NAME AND ADDRESS (Zip Code): N/A		(2) SHARE %	(3) SOCIAL SECURITY NUMBER: (4) SIGNATURE (If more than three individuals are signing, continue on attachment.)		
13. CCC USE ONLY - Payments according to the shares are approved		A. SIGNATURE OF CCC REPRESENTATIVE [Signature]		(MM-DD-YYYY) 9/12/2011	

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Food Security Act of 1985, (Pub. L. 99-198), as amended and the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) and regulations promulgated at 7 CFR Part 1410 and the Internal Revenue code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program contract, to assist in determining eligibility and to determine the correct parties to the contract. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for certain program benefits and other financial assistance administered by USDA agency. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law Enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital and family status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio tapes etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5984 (voice and TDD). USDA is an equal opportunity provider and employer.

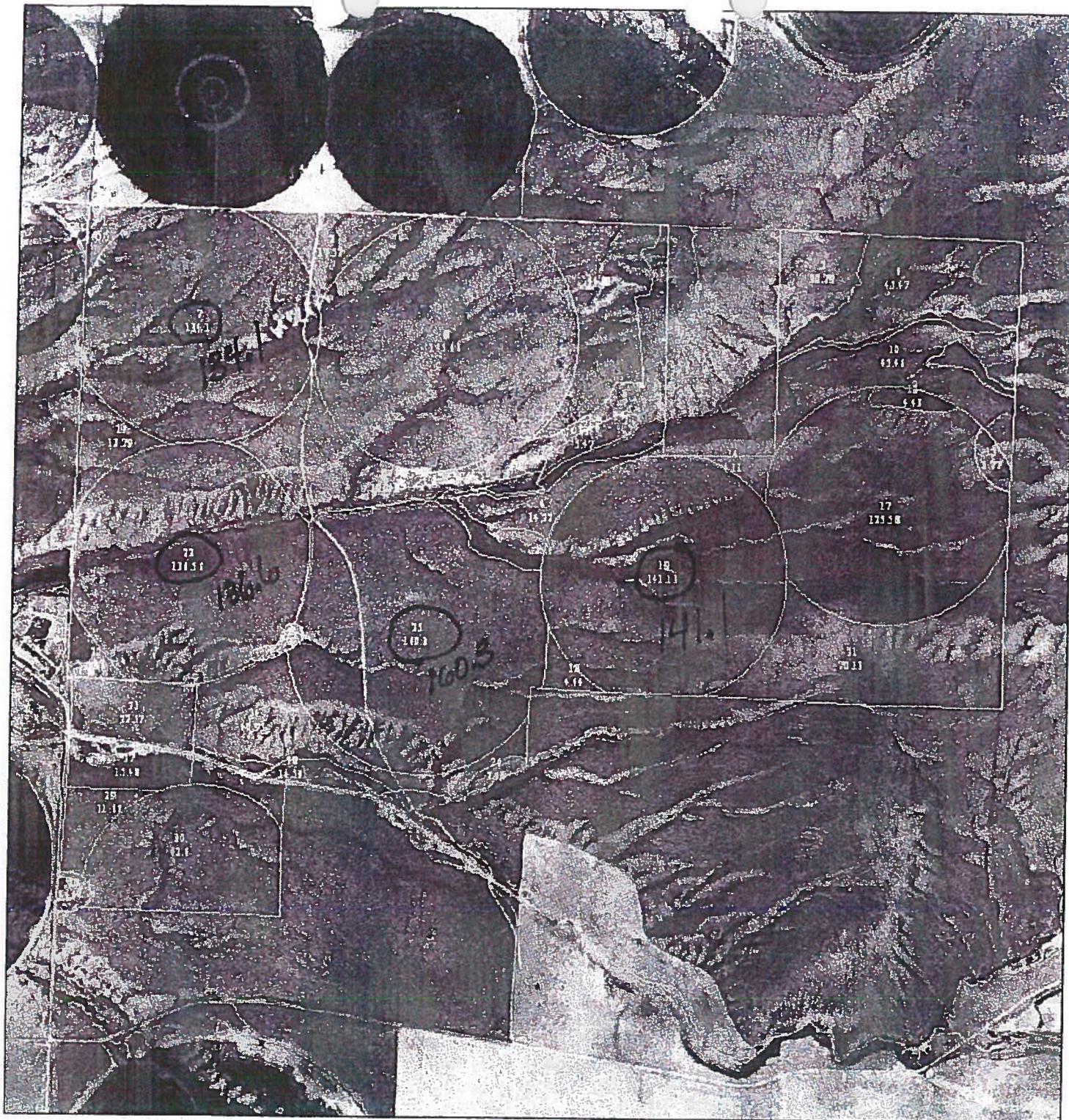
☐ Original - County Office Copy

☐ Owner's Copy

☐ Operator's Copy

Date Printed : 04-14-11

TRANSFER 82008



USDA United States Department of Agriculture
Farm Service Agency

Jan. 6, 2011



Farm # 1006
Tract # 1719

Digital Orthophotography
Not to Scale

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

This form is available electronically.

CRP-1
(07-23-10)

U.S. DEPARTMENT OF AGRICULTURE
Commodity Credit Corporation

CONSERVATION RESERVE PROGRAM CONTRACT

NOTE: The authority for collecting the following information is Pub. L. 107-171. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

7. COUNTY OFFICE ADDRESS (Include Zip Code):

CASSIA COUNTY FARM SERVICE AGENCY
1361 E 16TH ST
BURLEY, ID 83318-2008

TELEPHONE NUMBER (Include Area Code):

1. ST. & CO. CODE &
ADMIN. LOCATION
16031

2. SIGN-UP NUMBER

41

3. CONTRACT NUMBER

10007

4. ACRES FOR ENROLLMENT

229.5

5. FARM NUMBER
0001006

6. TRACT NUMBER(S)

0001765

8. OFFER (Select one)

GENERAL

ENVIRONMENTAL PRIORITY

FROM:

(MM-DD-YYYY)
10/01/2011

TO:

(MM-DD-YYYY)
09/30/2021

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable signing period has been provided to such person. Such person also agrees to pay such liquidated damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1, CRP-1 Appendix and any addendum thereto, CRP-2 or CRP-2C, if applicable; and, if applicable, CRP-15.

10A. Rental Rate Per Acre

\$54.51

1. Identification of CRP Land (See Page 2 for additional space)

B. Annual Contract Payment

\$12510

A. Tract No.

B. Field No.

C. Practice No.

D. Acres

E. Total Estimated Cost-Share

C. First Year Payment

0001765

0001

CP4D

10.5

\$578.00

(Item 10C applicable only to continuous sign up when the first year payment is prorated.)

0001765

0002

CP4D

10.4

\$572.00

0001765

0003

CP4D

45.5

\$2503.00

12. PARTICIPANTS

A(1). PARTICIPANTS NAME AND ADDRESS (Zip Code):

CONDIE BROS
4625 W 4100 S
SALT LAKE CITY, UT 84120-4945

(2) SHARE

100.00%

(3) SOCIAL SECURITY NUMBER:

(4) SIGNATURE

(MM-DD-YYYY)

B(1). PARTICIPANTS NAME AND ADDRESS (Zip Code):

N/A

(2) SHARE

%

(3) SOCIAL SECURITY NUMBER:

(4) SIGNATURE

(MM-DD-YYYY)

C(1). PARTICIPANTS NAME AND ADDRESS (Zip Code):

N/A

(2) SHARE

%

(3) SOCIAL SECURITY NUMBER:

(4) SIGNATURE

(MM-DD-YYYY)

(If more than three individuals are signing, continue on attachment.)

(If more than three individuals are signing, continue on attachment.)

13. CCC USE ONLY - Payments according to the shares are approved

A. SIGNATURE OF CCC REPRESENTATIVE

(MM-DD-YYYY)

Carlyle

9/12/2011

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Food Security Act of 1985, (Pub. L. 99-198), as amended and the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) and regulations promulgated at 7 CFR Part 1410 and the Internal Revenue code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program contract, to assist in determining eligibility and to determine the correct parties to the contract. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for certain program benefits and other financial assistance administered by USDA agency. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law Enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided.

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☐ Original - County Office Copy

☐ Owner's Copy

☐ Operator's Copy

Date Printed : 04-14-11

TRANSFER 82008



USDA United States Department of Agriculture
Farm Service Agency

Jan. 6, 2011



Farm # 1006
Tract # 1765

Digital Orthophotography
Not to Scale

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

This form is available electronically.

CRP-1

(03-26-04)

U.S. DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

CONSERVATION RESERVE PROGRAM CONTRACT

NOTE: The authority for collecting the following information is Pub. L. 107-171. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

7. COUNTY OFFICE ADDRESS (Include Zip Code):

CASSIA COUNTY FSA
1351 E 16TH ST
BURLEY, ID 83318

TELEPHONE NUMBER (Include Area Code): (208) 678-1157

1. ST. & CO. CODE & ADMIN.
LOCATION

16 031 8

2. SIGN-UP NUMBER

43

3. CONTRACT NUMBER

10061

4. ACRES FOR ENROLLMENT

792.1

5. FARM NUMBER

1006

6. TRACT NUMBER(S)

1719

8. OFFER (Select one)

GENERAL

ENVIRONMENTAL PRIORITY



9. CONTRACT PERIOD

FROM:
(MM-DD-YYYY)

TO:
(MM-DD-YYYY)

10-01-2012

09-30-2022

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the Contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such multiple damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; CRP-2 or CRP-2C, if applicable; and, if applicable, CRP-15.

10A. Rental Rate Per Acre

\$

66.00

11. Identification of CRP Land (See Page 2 for additional space)

B. Annual Contract Payment

\$

52,279

A. Tract No.

B. Field No.

C. Practice No.

D. Acres

E. Total Estimated
Cost-Share

C. First Year Payment

\$

SEE

(Item 10C applicable only to continuous sign-up when
the first year payment is prorated.)

ATTACHED

SHEET

12. PARTICIPANTS

A(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code):

CONDIE BROS
4625 W 4100 S
SALT LAKE CITY, UT 84120

(2) SHARE

100 %

(3) SOCIAL SECURITY NUMBER:

XXX XXX6216

(4) SIGNATURE

DATE (MM-DD-YYYY)

(If more than three individuals are signing, continue on attachment.)

B(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code):

(2) SHARE

%

(3) SOCIAL SECURITY NUMBER:

(4) SIGNATURE

DATE (MM-DD-YYYY)

(If more than three individuals are signing, continue on attachment.)

C(1). PARTICIPANT'S NAME AND ADDRESS (Zip Code):

(2) SHARE

%

(3) SOCIAL SECURITY NUMBER:

(4) SIGNATURE

DATE (MM-DD-YYYY)

(If more than three individuals are signing, continue on attachment.)

(If more than three individuals are signing, continue on attachment.)

13. CCC USE ONLY - Payments according
to the shares are approved.

A. SIGNATURE OF CCC REPRESENTATIVE

B. DATE (MM-DD-YYYY)

2/28/2013

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☐ Original - County Office Copy

☐ Owner's Copy

☐ Operator's Copy

TRANSFER 82008




 United States Department of Agriculture
 Farm Service Agency
Cassia County, ID

Farm 1006
 Tract 1719

October 03, 2012

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area.
 Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.





CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Title 30, Chapters 21 and 25, Idaho Code

Filing fee: \$100 typed, \$120 not typed

Complete and submit the application in duplicate.

FILED EFFECTIVE

2016 JAN -4 AM 9:24

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Nature Ridge Holdings, LLC

(Remember to include the words "Limited Liability Company," "Limited Company," or the abbreviation "LLC," "L.C.," or "CO."

2. The complete street and mailing addresses of the principal office is:

872 E. Pebble Dr., Burley, ID 83318

(Street Address)

(Mailing Address, if different)

3. The name and complete street address of the registered agent:

Reed Gibby

872 E. Pebble Dr., Burley, ID 83318

(Name)

(Address)

4. The name and address of at least one governor of the limited liability company:

Evard, LLC

872 E. Pebble Dr., Burley, ID 83318

(Name)

(Address)

(Name)

(Address)

(Name)

(Address)

(Name)

(Address)

5. Mailing address for future correspondence (annual report notices):

872 E. Pebble Dr., Burley, ID 83318

(Address)

Signature of organizer(s).

Printed Name: Reed Gibby

Signature:

Reed Gibby

Printed Name:

Signature:

Secretary of State use only

IDAHO SECRETARY OF STATE

01/04/2016 05:00

CK:14150 CT:98176 BH:1506708

1@ 100.00 = 100.00 ORGAN LLC #2

W160373

Rabo AgriFinance
237 Canyon Crest Drive, Twin Falls, ID 83301
Telephone: (208) 737-6854 / Fax: (208) 736-8707
E-mail: john.maughan@raboag.com



**Rabo
AgriFinance**

10/31/17

RECEIVED

NOV 01 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

Allen Merritt
Idaho Department of Water Resources
650 Addison Ave. West, Suite 500
Twin Falls, ID 83301-5858

Re: Nature Ridge Holdings Water Right Transfers

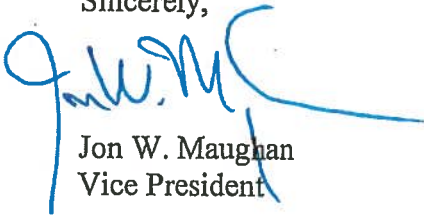
Dear Mr. Merritt:

This letter is to advise the Idaho Department of Water Resources ("IDWR") that Rabo AgriFinance has no issues with the two water right transfer applications of Water Right No. 47-13741 proposed by Nature Ridge Holdings, LLC. (See attached applications.) As lien holder, Rabo AgriFinance understands and supports the transfers.

Rabo AgriFinance understands the ownership of the portion of Water Right No. 47-13741 transferred off Nature Ridge Holdings, LLC property will be conveyed to a new owner when the transfer is completed. Rabo AgriFinance hereby releases its security interest in the portion of Water Right No. 47-13741 that will be transferred off Nature Ridge Holdings, LLC property.

If you have any questions, please contact me at your convenience.

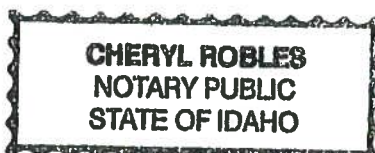
Sincerely,

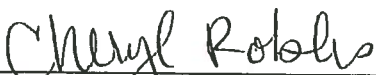


Jon W. Maughan
Vice President

State of Idaho)
County of Twin Falls)

On this 31 day of October, 2017, before a notary public in and for said State, personally appeared John W. Maughan, known to be an authorized agent of the corporation that executed said instrument and acknowledged that such corporation executed the same as its free act and deed and that he was authorized to execute said instrument.




Notary Public for State of Idaho
Residing at: Twin Falls
Commission expires: 10/26/2021



Part of the Rabobank Group

TRANSFER 82008



GIBBY - CONDIE FARM
IRRIGATION POU ACRES
NAIP 2015 AERIAL

Legend
43-13741_Current_POU
Transfer Acres

0 500 1,000 2,000 Feet

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 10/6/2017



0 500 1,000 2,000 Feet

GIBBY - CONDIE FARM

IRRIGATION POU ACRES
NAIP 2015 AERIAL

Legend
● 43_13741 PODs
■ 2018 Irrigation

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 10/10/2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 6, 2018

NATURE RIDGE HOLDINGS LLC
872 E PEBBLE DR
BURLEY ID 83318

Re: Transfer No: 82008
Water Right No(s): 43-13741

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,

A handwritten signature in black ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" written in a larger, more prominent script than the last name "Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

cc:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

RABO AGRIFINANCE LLC
14767 N OUTER 40 RD STE 400
CHESTERFIELD MO 63017

WATER DISTRICT 143
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2018 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.: 82008
Water Right No(s): 43-13741

NATURE RIDGE HOLDINGS LLC
872 E PEBBLE DR
BURLEY ID 83318

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

RABO AGRIFINANCE LLC
14767 N OUTER 40 RD STE 400
CHESTERFIELD MO 63017

WATER DISTRICT 143
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301

via e-mail



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: January 16, 2018
To: Nature Ridge Holdings, LLC transfer #82008 file
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to modify the place of use (POU) for irrigation ground water right 43-13741 which currently irrigates 1161.4 acres located approximately 15.5 to 17.5 miles east and 1.4 miles north to 0.3 miles south of the junction of Interstate Highways 84 and 86 east of Burley.

The proposed transfer involves modification of lands contiguous to the existing POU, so advertising was not necessary.

The proposed transfer is in Water District 143 and Watermaster comments were solicited. The Watermaster did not oppose the approval of the application.

- **Authority to File:**
The Department's database indicates that the water right involved is owned by the applicant, Nature Ridge Holdings, LLC. The application was signed by Reed Gibby, the registered agent of Nature Ridge Holdings, LLC. See attachment from the Idaho Secretary of State office, *Certificate of Organization*.
- **Water Right Validity:**
Based on aerial imagery and FSA records, forfeiture of the irrigation right being converted does not appear to be an issue. A portion of the right has been enrolled in the Conservation Reserve Program.
- **Injury to Other Water Rights:**
None anticipated or foreseen.
- **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 of the Agricultural Base of the Area:**
None Anticipated

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.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 82008
Water Right No: 43-13741
Applicant Name: NATURE RIDGE HOLDINGS LLC

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: January 12, 2018

Water District 143



Nathan Erickson, Watermaster



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 14, 2017

NATURE RIDGE HOLDINGS LLC
872 E PEBBLE DR
BURLEY, ID 83318

RE: Transfer No. 82002
Water Right No(s). 43-13741

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 12/21/2017 and 12/28/2017**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **January 8, 2018**.

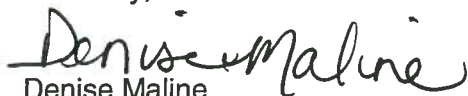
If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

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

The Department is also currently processing Transfer No. 82008 (43-13741); however this application does not require legal notice publication in the local newspaper.

Please contact this office if you have any questions regarding either of these applications.

Sincerely,


Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
RABO AGRIFINANCE LLC, CHESTERFIELD, MO, and TWIN FALLS, ID



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 14, 2017

WATER DISTRICT #143
NATHAN ERICKSON
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

via hand delivery

RE: Transfer No. 82002
Water Right No(s). 43-13741

RE: Transfer No. 82008
Water Right No(s). 43-13741

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, 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 water master, 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's regional offices 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
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: December 8, 2017
To: Transfer 82008
From: James Bitzenburg
Re: Legal Notice Not Required

Legal Notice Not Required
12/8/2017

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.

The transfer modifies the POU to contiguous lands to the original POU owned by the applicant, so advertising is not necessary.

TRANSFER SYNOPSIS

Date: December 4, 2017
To: Transfer 82008, Nature Ridge Holdings, LLC Transfer file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to modify the place of use (POU) for irrigation ground water right 43-13741 which currently irrigates 1161.4 acres located approximately 15.5 to 17.5 miles east and 1.4 miles north to 0.3 miles south of the junction of Interstate Highways 84 and 86 east of Burley.

This transfer is a companion to transfer #82002 which proposes to move a 2.68 cfs, 226.6 acre, portion of right 43-13741 to a farm approximately 9.5 miles away. This transfer re-arranges the acres left over after the first transfer, and because of that, should be considered after the first transfer is out of advertising and is approved.

The proposed transfer involves modification of lands contiguous to the existing POU, so advertising is not necessary.

The proposed transfer is in Water District 143 and Watermaster comments will be solicited.

FEE MEMORANDUM

Date: November 30, 2017
To: Nature Ridge Holdings, LLC Transfer #82008 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on October 19, 2017 and amended on November 27, 2017. The transfer modifies the place of use for a single water right, 43-13741. With the change in place of use, 58.3 acres actually changed. To calculate the fee, 58.3 acres were divided by the total acres left after transfer 82002, 1161.4. This was multiplied by the irrigation flow rate of 13.76 cfs which yielded a flow rate of 0.69 cfs changing. From the transfer fee schedule, the fee is \$500.00 which was paid by Brockway Engineering with check 14298 with the application. The receipt number is S036425.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

NOV 27 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

November 21, 2017

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

Re: Nature Ridge Holdings LLC

Dear Mr. Bitzenburg:

At your request, the Nature Ridge Holding LLC transfer from water right 43-13741 to a new irrigation POU location is being submitted to IDWR. Water right 43-13741 was enrolled in Federal set aside program until 2015. The contracts were withdrawn and irrigation on the property resumed. The transfer will update the irrigation POU to reflect new management practices on the farm.

Changes to the transfer application have been complete as you have requested. The attached pages are the only documents affected by the amended changes. IDWR should be able to process the transfer application with the changes that have been made.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Tyson Nelson
Enc: Transfer Application

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

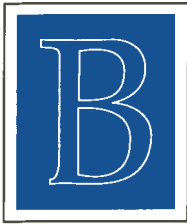
CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

OCT 19 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

October 17, 2017

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

Re: Nature Ridge Holdings LLC

Dear Mr. Skinner:

Nature Ridge Holding LLC desires to transfer 62.3 acres from water right 43-13741 to a new irrigation POU location. Water right 43-13741 was enrolled in Federal set aside program until 2015. The contracts were withdrawn and irrigation on the property resumed. This transfer will update the irrigation POU to reflect new management practices on the farm.

No new wells are proposed at this time. The beneficial use, period of use will and ownership will not be changing with this transfer.

It is requested that this transfer is not advertised because there is no change in the PODs and the ownership is not changing.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Tyson Nelson

Enc: Transfer Application, Aerial Maps, Certificate of Organization, FSA Reports,
Withdrawn CRP Contracts, Brockway Engineering Check # 14298 for \$500.00

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

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

2016 NORTH
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