

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81836

RECEIVED
OCT 18 2017
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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) FED AGRIBUSINESS LLC

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

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED
OCT 18 2017
DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant FED AGRIBUSINESS LLC

Phone (208) 862-3482

Mailing Address 568 W 1650 S, OAKLEY ID 83346

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.

FED Agribusiness, LLC

By: Don F. Pickett, Member
Signature of Applicant or Authorized Representative

Don F. Pickett, Member
Print Name and Title if applicable

October 2, 2017
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	45-2381	Yes	Yes	Yes	No	Yes	Yes

Associated Right(s): 45-2380 , 45-2589 , 45-7201

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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

Application filed to move a three acre portion of an irrigation right, currently authorized to be diverted from existing low temperature geothermal wells, to a recently drilled well at the mouth of Dry Creek Canyon where low temperature geothermal water was encountered. The three acre portion will be utilized at the new location to provide water for three homes, irrigation of up to 1.0 acre of land associated with the homes, and to provide water for livestock in the area when Dry Creek no longer flows water.

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

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

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-14504	0.040 cfs	7.6 af	N/A	1.0	45-2381	4.100 cfs	1268.0 af	317.0	3101.0
COMBINED TOTALS	0.040 cfs	7.6 af	N/A	1.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

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

4. Place of Use:

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

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

Original Water Right No. 45-2381

Current Water Right Owner
 FED AGRIBUSINESS LLC
 568 W 1650 S
 OAKLEY, ID 83346

Priority Date: 6/5/1951

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	4.100 CFS	1268.0 AFA	
Total Diversion			4.100 CFS	1268.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 317.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-14504

(Original Water Right No. 45-2381)

Current Water Right Owner
 FED AGRIBUSINESS LLC
 568 W 1650 S
 OAKLEY, ID 83346

Priority Date: 6/5/1951

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/1	12/31	0.040 CFS	1.8 AFA	
IRRIGATION	03/15	11/15	0.020 CFS	4.0 AFA	
STOCKWATER	1/1	12/31	0.040 CFS	1.8 AFA	
Total Diversion			0.040 CFS	7.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENW Sec. 12 Twp 12S Rge 19E CASSIA County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	19E	12								X									0.0

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	19E	12								1.0									1.0

POU Total Acres: 1.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	19E	12								X									0.0

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

Diversion system consists of a recently drilled well to serve the intended uses. A measuring device will be installed if needed.

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ **If Yes**, ☒

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Metropolitan Life Insurance Company

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

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Three acres of land will no longer be irrigated.

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

Right being transferred is located within a permissible place of use with 21 other rights (see transfer # 80092). However, this right is not stacked with the other rights. Land will continue to be associated with the permissible place of use, but three less acres will be irrigated within the permissible place of use.

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

Yes No

☐	☒
☐	☒
☐	☒
☐	☒

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

If yes, describe:

<u> </u>
<u> </u>
<u> </u>

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

Current Water Right No. 45-2381

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/5/1951

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	4.140 CFS	1280.0 AFA	
Total Diversion			4.140 CFS	1280.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 320.0

POU Total Acres: 3,101.0

Conditions/Remarks:

- The point of diversion located in the SESESE, S34, T11S, R20E, and the two points of diversion located in the SESWSW, S11, T12S, R20E are limited to a combined maximum diversion rate of 4.14 cfs. These same wells are also recognized as low temperature geothermal wells and are limited to 4.14 cfs of low temperature geothermal water for irrigation.
- This right is limited to the irrigation of 320 acres within the authorized place of use in a single irrigation season.
- Rights 45-2380, 45-2381, 45-2589, and 45-7201 when combined shall not exceed a total annual maximum diversion volume of 3744 af at the field headgate, and the irrigation of 936 acres.
- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

5. 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. Use of this right is combined with water from Southwest Irrigation District.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 80092, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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. 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.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

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

[illegible]

place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)
3.0 acres within existing 3,101.0 acre PPU (see attached map)

[illegible]

Transfer No. 81836

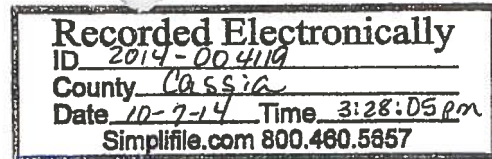
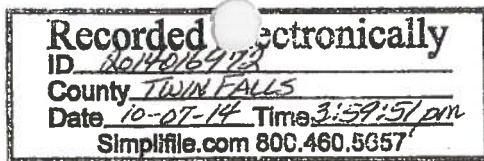
APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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.

☒

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

Add'l Fee Paid _____ Date 12-10-2011 Received By 11 Receipt # 5058720



14240245

WARRANTY DEED

For Value Received JOAN L. TUGAW, the Grantor, does hereby grant, bargain, sell and convey unto the Grantee, TUGAW RANCHES, LLC, an Idaho limited liability company, whose current address is 568 West 1650 South, Oakley, Idaho 83346, the following described premises, in Cassia and Twin Falls Counties, Idaho, to-wit:

Cassia County

Township 12 South, Range 19 East of the Boise Meridian, Cassia County, Idaho

Section 12: Lots 5, 7, 8 and 11

Township 12 South, Range 20 East of the Boise Meridian, Cassia County, Idaho

Section 14: Lots 1, 2 and 4
Section 15: Lots 1, 2 and 3
Section 23: E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 24: Lots 2, 3 and 4
Section 25: W $\frac{1}{2}$ NW $\frac{1}{4}$
Section 26: NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Twin Falls County

Township 11 South, Range 20 East of the Boise Meridian, Twin Falls County, Idaho.

Section 35: All

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by the parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

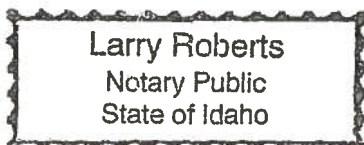
DATED this 3d day of October, 2014.

Joan L. Tugaw
JOAN L. TUGAW

STATE OF IDAHO)
County of Cassia) ss.
~~Twin Falls~~)
WR

On this 3d day of October, 2014, before me, a Notary Public in and for said County and State, personally appeared JOAN L. TUGAW, known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Larry Roberts
NOTARY PUBLIC
Residing at Twin Falls
My Commission Expires 6-30-15

Farm Number: 5422

PROGRAM YEAR: 2016

DATE: 5-10-2017

PAGE: 6

REPORT OF COMMODITIES FARM AND TRACT DETAIL LISTING

Tract Number	CLU/ Field	Crop/ Commodity	Variety/ Type	Irr Prc	Int Use	Actual Use	Land Use	Organic Status	Native Sod	C/C Status	Reporting Unit	Reported Quantity	Determined Quantity	Crop Land	Field ID	Official/ Measured	Planting Date	Planting Period	End Date
10198	27	WHEAT	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	121.83		RMA Unit			10-15-2015	NAP Unit	410
			SWW	I	GR	N	I		Yes	01									
	28	CORN	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	120.81		RMA Unit			4-25-2016	NAP Unit	410
			YEL	I	FG	N	I		Yes	01									
	29	BARLY	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	33.43		RMA Unit			9-12-2015	NAP Unit	410
			WTR	I	GR	N	I		Yes	01									
	30	BARLY	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	31.16		RMA Unit			9-12-2015	NAP Unit	410
			WTR	I	GR	N	I		Yes	01									
	31	BARLY	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	117.74		RMA Unit			9-16-2015	NAP Unit	410
			WTR	I	GR	N	I		Yes	01									
	32	WHEAT	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	120.17		RMA Unit			10-12-2015	NAP Unit	410
			SWW	I	GR	N	I		Yes	01									
33		OATS	SPR	N	FG			C	N	I	A	11.67		Yes			3-20-2016	NAP Unit	410
	34	OATS	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	6.38		RMA Unit			3-20-2016	NAP Unit	410
			SPR	N	FG	N	I		Yes	01									
	35	OATS	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	16.27		RMA Unit			3-20-2016	NAP Unit	410
			SPR	N	FG	N	I		Yes	01									
	36	GRASS	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	9.08		RMA Unit			4-4-1980	NAP Unit	410
			WCR	N	GZ	N	I		Yes	01									
	37	GRASS	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	9.55		RMA Unit			4-4-1980	NAP Unit	410
			WCR	N	GZ	N	I		Yes	01									
	38	GRASS	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	8.57		RMA Unit			4-4-1980	NAP Unit	410
			WCR	N	GZ	N	I		Yes	01									
	39	GRASS	Producer PICKETT RANCH & SHEEP CO					C	Share	100.00	A	9.04		RMA Unit			4-4-1980	NAP Unit	410
			WCR	N	GZ	N	I		Yes	01									
			Producer PICKETT RANCH & SHEEP CO						Share	100.00			RMA Unit					NAP Unit	410

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Oakley (NWS -- 106542)

Statistics based on thirty year normal spans 1978 to 2010 years

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

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

Spring Grain - Irrigated Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.19	-0.07	0.17	1.28	3.13	6.80	6.49	1.14	-0.21	-0.16	-0.30	-0.28	580	-35	545
15-Day Moving Average ^d	-0.21	-0.15	0.13	1.23	3.04	6.96	6.69	0.94	-0.20	-0.12	-0.31	-0.25			
7-Day Moving Average ^e	-0.20	-0.11	0.15	1.23	3.04	6.85	6.59	1.01	-0.19	-0.14	-0.33	-0.26			
3-Day Moving Average ^f	-0.19	-0.07	0.17	1.27	3.10	6.81	6.52	1.12	-0.22	-0.15	-0.31	-0.28			
Standard Deviation ^k	mm/day												mm		
Monthly ^c	0.39	0.35	0.49	0.70	1.71	1.27	1.33	1.40	0.43	0.44	0.29	0.56	50	23	56
15-Day Moving Average ^d	0.50	0.59	0.53	0.84	1.72	1.48	1.42	1.14	0.76	0.44	0.48	0.49			
7-Day Moving Average ^e	0.69	0.85	0.78	1.33	2.33	2.11	1.91	1.49	1.14	0.79	0.73	0.69			
3-Day Moving Average ^f	0.98	1.15	1.38	1.99	3.12	2.74	2.47	2.02	1.88	1.35	1.12	1.08			
20% Exceedance ^l	mm/day												mm		
Monthly ^c	0.01	0.19	0.40	1.76	4.14	7.70	7.33	1.88	0.05	0.05	-0.08	0.04	620	-16	580
15-Day Moving Average ^d	0.39	0.48	0.78	2.70	6.00	8.83	8.38	3.46	0.55	0.56	0.30	0.28			
7-Day Moving Average ^e	0.72	0.89	1.34	3.82	7.19	9.62	9.01	5.08	1.30	1.21	0.67	0.57			

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3-Day Moving Average ^f	1.01	1.41	2.60	5.78	8.24	10.40	9.97	6.53	2.75	2.35	1.00	0.81			
80% Exceedance^m	mm/day												mm		
Monthly ^c	-0.46	-0.21	-0.07	0.56	2.04	5.87	5.48	0.24	-0.49	-0.39	-0.51	-0.68	536	-49	502
15-Day Moving Average ^d	-1.15	-0.74	-0.80	0.06	0.12	3.95	3.73	-0.38	-1.41	-1.15	-1.17	-1.39			
7-Day Moving Average ^e	-2.04	-1.86	-1.84	-1.50	-2.30	1.36	1.80	-1.95	-2.32	-2.49	-2.32	-2.23			
3-Day Moving Average ^f	-3.75	-3.11	-4.45	-4.11	-7.79	-1.54	-0.72	-4.90	-5.29	-5.60	-4.71	-4.02			
Ave Highest P_{def}	mm/day												--		
15-Day Moving Average ^g	0.22	0.27	0.57	2.04	4.67	8.12	7.92	2.12	0.30	0.31	0.16	0.16			
7-Day Moving Average ^h	0.49	0.67	1.01	3.20	5.81	8.88	8.57	3.27	0.71	0.76	0.44	0.38			
3-Day Moving Average ⁱ	0.75	1.06	2.00	4.91	7.21	9.83	9.57	4.63	1.45	1.46	0.79	0.60			
Ave Lowest P_{def}	mm/day												--		
15-Day Moving Average ^g	-0.60	-0.45	-0.29	0.56	1.56	5.54	5.12	0.21	-0.67	-0.58	-0.71	-0.64			
7-Day Moving Average ^h	-1.20	-1.07	-0.95	-0.48	-0.25	3.69	3.69	-0.49	-1.59	-1.37	-1.42	-1.18			
3-Day Moving Average ⁱ	-2.50	-2.31	-2.54	-2.24	-3.74	1.44	1.54	-2.07	-3.95	-3.34	-2.92	-2.42			
Special normal distribution parameters for monthly, seasonal, and annual intervals															
Skew ^m	-0.24	-2.00	-0.23	-0.75	0.08	-1.25	-0.06	0.38	-2.23	-0.46	-0.93	-0.38	-0.03	-1.34	0.04
Kurtosis ^o	0.64	8.26	0.91	4.03	0.67	4.01	0.50	1.12	8.46	1.22	3.36	0.77	3.06	5.01	2.88

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

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

^c Mean of the average daily value for month

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

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

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

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

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

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

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

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

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

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

ⁿ This value represents the *skewness (asymmetry) of the distribution of the parameter values* for the month (year) over the 'normal' period. A value near zero indicates that the distribution approximates a normal (Gaussian) and symmetrical distribution. A negative skew indicates that the parameter distribution has relatively few low values compared to high values. A positive skew indicates that the distribution has relatively few high values compared to the number of low values. A skew value near 1 indicates that the underlying distribution approximates a lognormal distribution.

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

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

The citation for the evapotranspiration data used from this site should be: Allen, Richard G. and Clarence W. Robison, 2012. *Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through December 2008*, Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Moscow, ID.

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

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Please send suggestions for improving this site to robison@kimberly.uidaho.edu Copyright 2012, University of Idaho.

Burley FAA AP (NWS -- 101303)

Statistics based on thirty year normal spans 1979 to 2010 years

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

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

Spring Grain - Irrigated															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.24	-0.02	0.31	1.36	3.79	6.89	6.17	0.94	-0.05	-0.15	-0.46	-0.51	589	-39	549
15-Day Moving Average ^d	-0.27	-0.09	0.29	1.34	3.80	7.01	6.41	0.80	-0.02	-0.09	-0.47	-0.45			
7-Day Moving Average ^e	-0.25	-0.05	0.31	1.35	3.81	6.92	6.28	0.86	-0.03	-0.12	-0.46	-0.48			
3-Day Moving Average ^f	-0.24	-0.02	0.31	1.37	3.80	6.88	6.19	0.92	-0.05	-0.15	-0.44	-0.51			
Standard Deviation ^k	mm/day												mm		
Monthly ^c	0.52	0.28	0.48	0.79	2.23	1.26	2.17	1.43	0.22	0.35	0.48	0.68	49	27	59
15-Day Moving Average ^d	0.62	0.40	0.47	0.93	1.96	1.54	1.93	1.12	0.30	0.40	0.65	0.63			
7-Day Moving Average ^e	0.86	0.65	0.72	1.30	2.47	2.14	2.26	1.32	0.54	0.74	0.89	0.89			
3-Day Moving Average ^f	1.08	0.93	1.27	1.84	3.23	2.83	2.60	1.57	0.99	1.27	1.30	1.35			
20% Exceedance ^l	mm/day												mm		
Monthly ^c	0.04	0.18	0.52	1.92	4.82	7.93	7.55	1.31	0.04	0.00	-0.14	-0.19	619	-15	595
15-Day Moving Average ^d	0.42	0.32	0.87	2.83	6.67	9.01	8.65	2.13	0.44	0.38	0.25	0.27			
7-Day Moving Average ^e	0.83	0.97	1.58	4.53	7.55	9.92	9.25	3.54	0.96	1.37	0.71	0.58			

1.8 AF

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3-Day Moving Average ^f	1.17	1.27	2.73	5.61	9.28	10.73	10.16	4.01	1.80	2.09	1.22	0.81			
80% Exceedance^m	mm/day												mm		
Monthly ^c	-0.50	-0.37	0.10	0.59	2.86	5.72	5.03	0.20	-0.12	-0.28	-0.66	-0.99	543	-71	505
15-Day Moving Average ^d	-1.28	-0.55	-0.52	0.10	1.24	3.34	3.14	0.01	-0.56	-0.76	-1.34	-1.32			
7-Day Moving Average ^e	-2.38	-1.65	-1.52	-0.59	-0.57	1.68	1.84	-0.60	-1.42	-1.88	-2.57	-2.99			
3-Day Moving Average ^f	-4.75	-2.91	-4.22	-2.71	-6.34	-1.93	0.63	-2.65	-3.63	-4.82	-5.09	-5.54			
Ave Highest P_{def}	mm/day												--		
15-Day Moving Average ^g	0.26	0.23	0.74	2.01	5.34	8.23	7.70	1.65	0.28	0.29	0.15	0.14			
7-Day Moving Average ^h	0.57	0.65	1.23	3.05	6.52	9.21	8.36	2.35	0.61	0.77	0.41	0.37			
3-Day Moving Average ⁱ	0.84	1.01	2.03	4.33	8.04	10.39	9.36	3.02	1.15	1.29	0.79	0.62			
Ave Lowest P_{def}	mm/day												--		
15-Day Moving Average ^g	-0.66	-0.35	-0.19	0.66	2.22	5.68	4.74	0.24	-0.31	-0.49	-0.92	-0.98			
7-Day Moving Average ^h	-1.37	-0.83	-0.80	-0.09	0.60	3.86	3.49	-0.12	-0.87	-1.19	-1.70	-1.72			
3-Day Moving Average ⁱ	-2.57	-1.79	-2.51	-1.84	-2.85	1.36	2.30	-0.84	-2.25	-2.85	-3.28	-3.33			
Special normal distribution parameters for monthly, seasonal, and annual intervals															
Skew ^m	-0.44	-0.81	0.50	1.04	0.12	-0.56	-0.45	0.61	-1.41	-0.30	-1.71	-0.30	-0.66	-0.84	-0.86
Kurtosis ^o	0.95	3.69	1.51	5.33	1.01	2.67	1.26	1.40	5.28	1.15	6.05	0.80	2.65	2.65	3.30

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

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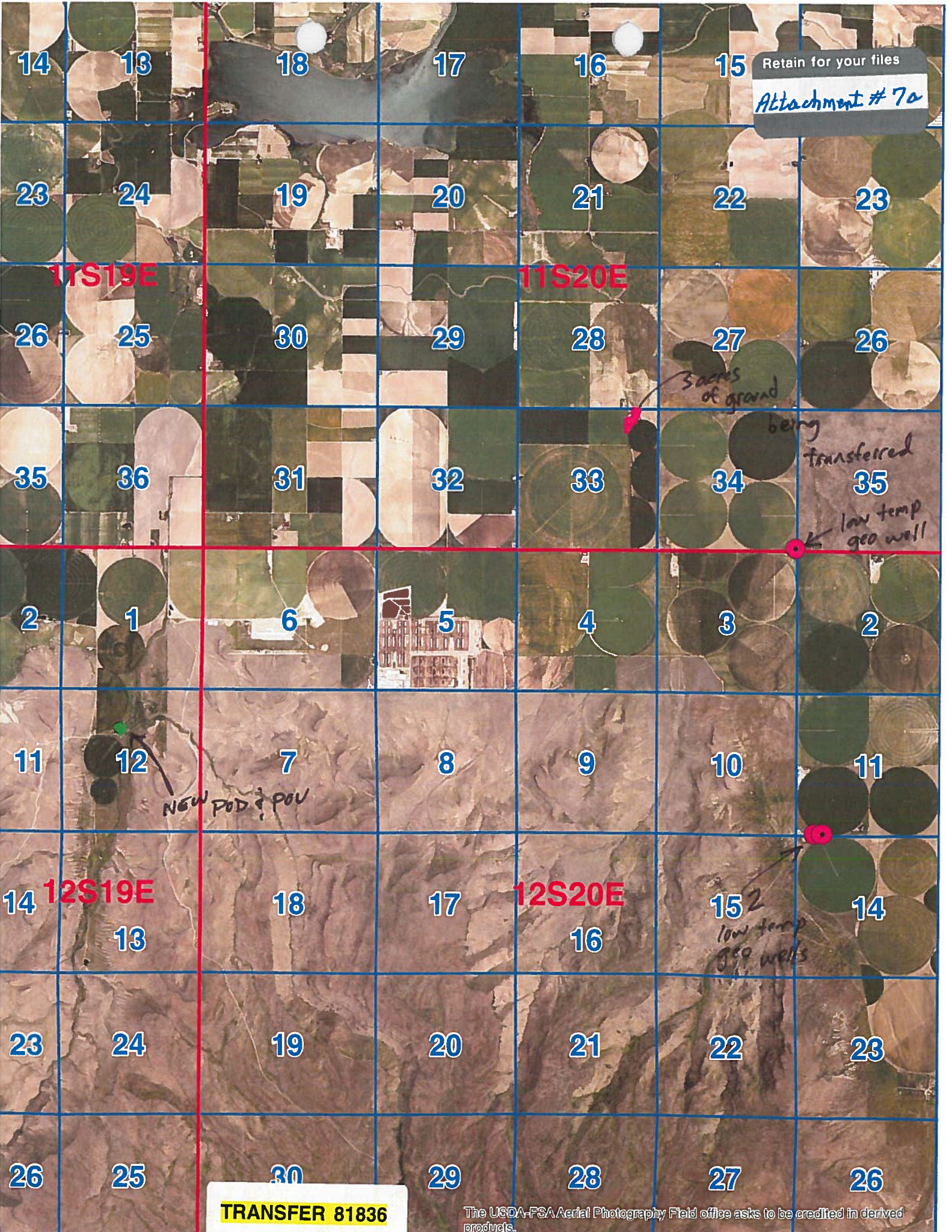
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with matplotlib, and kinterbasdb.

Tugaw Ranches, LLC hereby allows Fed Agribusiness LLC to transfer 0.04 cfs of water to a well located on our property in the SENW of Section 12, Township 12 South, Range 19 East as described in Transfer # 81836. We also acknowledge that Fed Agribusiness LLC will retain ownership of the water right.

Don Fickett, Member
Tugaw Ranches LLC

Oct. 3, 2017
Date



Retain for your files

Attachment # 7a

11S19E

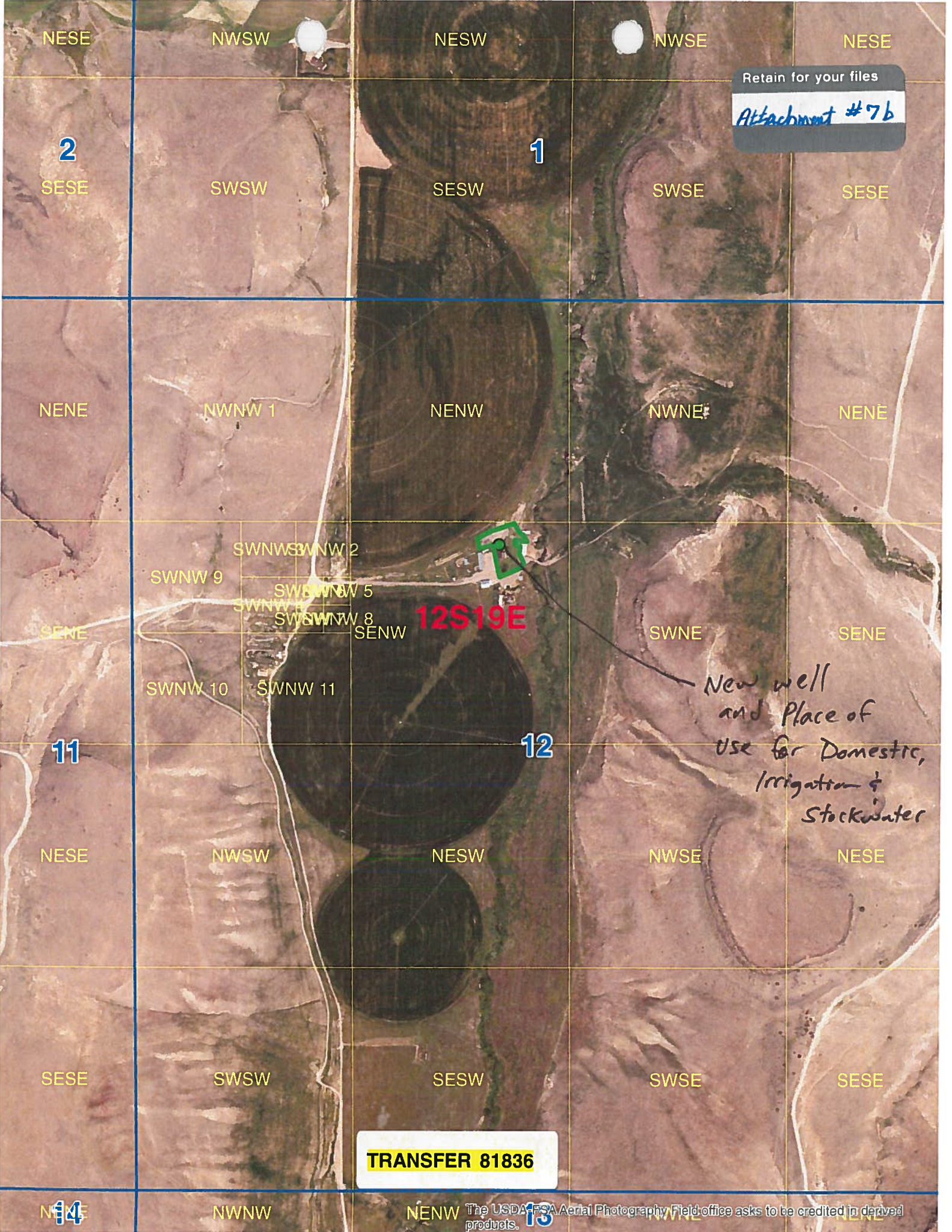
11S20E

12S19E

12S20E

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The USDA-FSA Aerial Photography Field office asks to be credited in derived products.



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Attachment #7b

12S19E

New well
and Place of
Use for Domestic,
Irrigation &
Stockwater

TRANSFER 81836



29

28

27

32

33

34

5

4

3

11S20E

12S20E

TRANSFER 81836

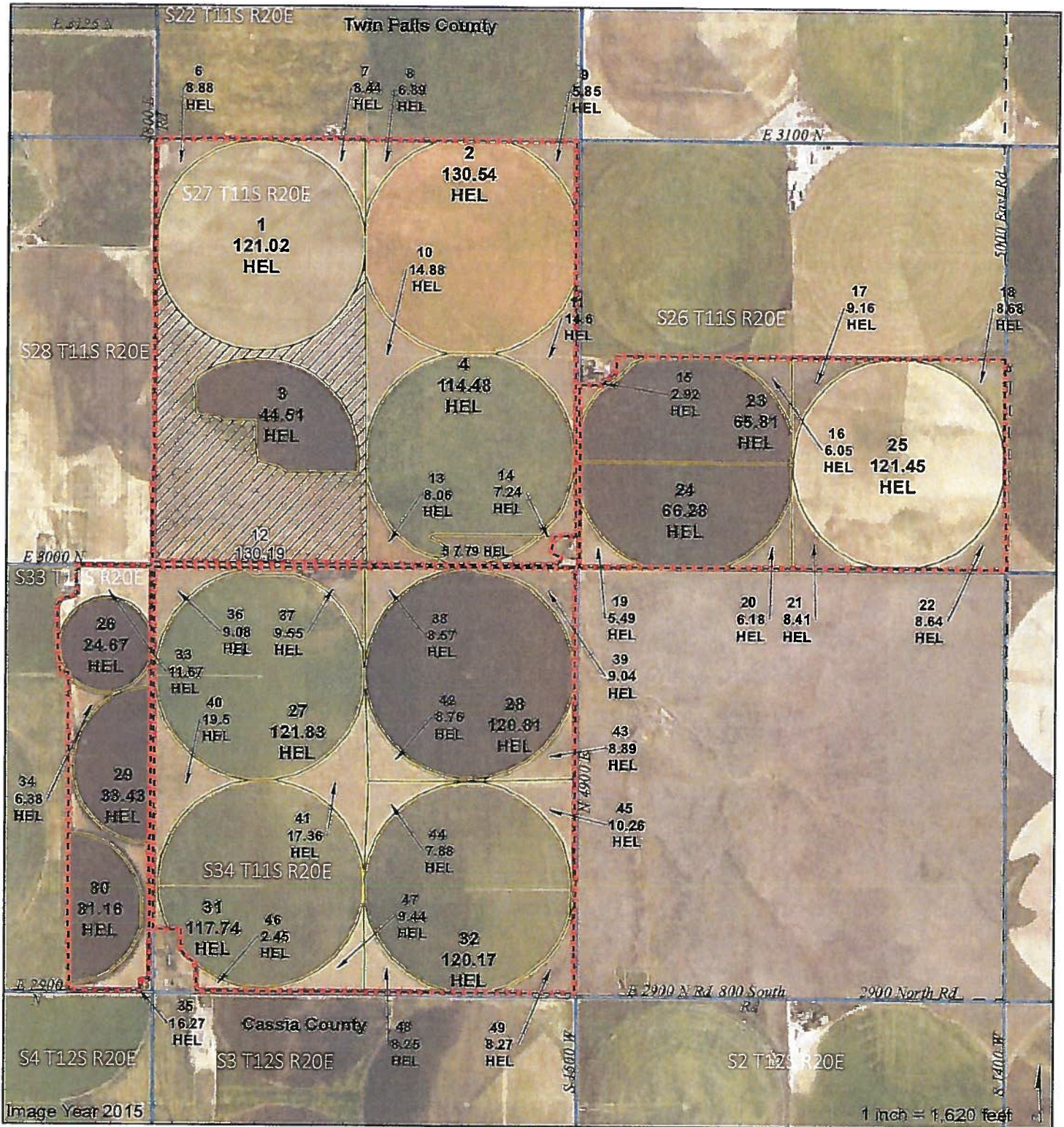
3 acres of ground being transferred

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.



United States
Department of
Agriculture

Cassia County, Idaho



Common Land Unit

	Non-Cropland		Tract Boundary
	Cropland		PLSS
			County Boundary

Wetland Determination Identifiers

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

Tract Cropland Total: 1543.68 acres

TRANSFER 81836

2017 Program Year

Map Created April 12, 2017

Farm 5422

Tract 10198

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

BEFORE

3.0 acres of right 45-2381 (0.04 cfs & 12.0 AFA)

AFTER

1.0 acre of irrigation 0.02 cfs & 4.0 AFA

Domestic use 0.04 cfs & 1.8 AFA (conversion based on 1.8 afa per acre for oats)

Stockwater use 0.04 cfs & 1.8 AFA (conversion based on 1.8 afa per acre for oats)

Total (after) 0.04 cfs & 7.8 AFA



IDAHO SECRETARY OF STATE

Viewing Business Entity

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Attachment #1

Lawrence Denney, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
 [[Get a certificate of existence for FED AGRIBUSINESS, LLC](#)]
 [[Monitor FED AGRIBUSINESS, LLC business filings](#)]

FED AGRIBUSINESS, LLC

568 W 1650 S
 OAKLEY, ID 83346

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING

State of Origin: IDAHO

Date of 05 Aug 2002

Origination/Authorization:

Current Registered Agent: DON F PICKETT
 568 W 1650 S
 OAKLEY, ID 83346

File Number: W20210

Date of Last Annual Report: 22 Jun 2017

Annual Report Due: Aug 2018

Original Filing:

Filed 05 Aug 2002 ARTICLES OF
 ORGANIZATION

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Annual Reports:

Report for year 2017 ANNUAL REPORT

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Report for year 2017 CHNG
 RA/RO

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Report for year 2016 ANNUAL REPORT

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Report for year 2007 ANNUAL
 REPORT

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Report for year 2006 ANNUAL
 REPORT

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Report for year 2005 ANNUAL
 REPORT

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Report for year 2004 ANNUAL

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REPORT

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[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

No. W 120603	Due no later than Jan 31, 2017 Annual Report Form	2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		DAVID J PICKETT 568 WEST 1650 SOUTH OAKLEY ID 83346 3. <u>New</u> Registered Agent Signature:*	
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.			
Office Held	Name	Street or PO Address	City State Country Postal Code
MEMBER	DAVID J. PICKETT	568 WEST 1650 SOUTH	OAKLEY ID USA 83346
MEMBER	DOUGLAS T. PICKETT	568 WEST 1650 SOUTH	OAKLEY ID USA 83346
MEMBER	DON F. PICKETT	568 WEST 1650 SOUTH	OAKLEY ID USA 83346
5. Organized Under the Laws of: ID W 120603	6. Annual Report must be signed.* Signature: David J. Pickett Date: 12/20/2016 Name (type or print): David J. Pickett Title: Managing Member		
Processed 12/20/2016		* Electronically provided signatures are accepted as original signatures.	

TRANSFER 81836



RECEIVED

OCT 18 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

October 12, 2017

FED Agribusiness, LLC
Don Pickett
568 West 1650 South
Oakley, ID 83346

MetLife Agricultural Finance
Central Regional Office
10801 Mastin Blvd., Suite 120
Overland Park, KS 66210
Phone: (913) 338-0629
Fax: (913) 661-2267

John C. Espenmiller, Regional Director
Phone (913) 661-2233
Email: jespenmiller@metlife.com

David C. Russell, Director
Phone: (913) 661-2266
Email: drussell@metlife.com

Re: Metropolitan Life Insurance Company ("MetLife") Loan No. 176173 – PICKETT RANCH & SHEEP COMPANY, an Idaho corporation, and FED AGRIBUSINESS, LLC, an Idaho limited liability company (collectively, the "Borrower")

Dear Mr. Pickett:

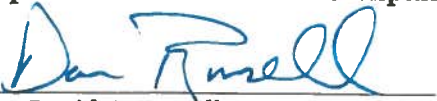
MetLife holds a security interest in certain water right numbers (the "Water Rights") in Cassia and Twin Falls Counties, Idaho in connection with the above referenced loans. You have requested that MetLife consent to the transfer and or combined use of certain Water Rights as described in the State of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

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

Water Rights:
45-2381

MetLife also requires an \$100.00 service charge in connection with this consent. Please forward at your earliest convenience in the self-addressed envelope provided.

Metropolitan Life Insurance Company

By: 
Name: David C. Russell
Its: Director

TRANSFER 81836

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

Before me, a Notary Public in and for said County and State, personally appeared David C. Russell, the Director of Metropolitan Life Insurance Company, and acknowledged the execution of the foregoing instrument on behalf of said holders, and who, has been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 13th day of October, 2017.

Roberta L Black

(Notary Public)

My Commission Expires: 08/26/2021



Encl.
LM

cc Clear Creek Land and Mortgage
 Kassie Kampen

Maline, Denise

From: Brian Higgs <brian@waterwellconsultants.com>
Sent: Friday, December 01, 2017 8:36 AM
To: Maline, Denise
Subject: Re: Comment Letter for transfer 81836 Fed AgriBusiness

Hi Denise.

No comment on transfer 81836.

Thank you.

Brian

From: Maline, Denise
Sent: Thursday, November 30, 2017 4:59 PM
To: Brian Higgs (WD 140)
Subject: Comment Letter for transfer 81836 Fed AgriBusiness

Good afternoon Brian,

Attached is an application for transfer currently being processed, within your district. Please review the information and provide any necessary comments within (21) days.

Please contact our office if you have any questions.

Thank you,

Denise Maline

Administrative Assistant I

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



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

November 30, 2017

FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

RE: Transfer No. 81836
Water Right No(s). 45-2381

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 12/7/2017 and 12/14/2017**. 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 **December 26, 2017**.

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

cc: METROPOLITAN LIFE INSURANCE CO, AGRICULTURAL INVESTMENTS

Maline, Denise

From: Maline, Denise
Sent: Thursday, November 30, 2017 4:59 PM
To: Brian Higgs (WD 140)
Subject: Comment Letter for transfer 81836 Fed AgriBusiness
Attachments: Transfer 81836 Fed AgriBusiness.pdf; Comment Letter to WM140 for 81836.docx

Good afternoon Brian,

Attached is an application for transfer currently being processed, within your district. Please review the information and provide any necessary comments within (21) days.

Please contact our office if you have any questions.

Thank you,

Denise Maline

Administrative Assistant I

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



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

November 30, 2017

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

via e-mail

RE: Transfer No. 81836
Water Right No(s): 45-2381

Dear Brian:

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)

Maline, Denise

From: Maline, Denise
Sent: Thursday, November 30, 2017 12:41 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.doc

Attached please find **(1)** legal notice being submitted for publication on December 7th & 14th, 2017. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you,

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



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

November 30, 2017

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 81836
Water Right No(s): 45-2381

RE: Transfer No. 82012
Water Right No(s): 43-13543, 43-13605, 43-13774, 43-13775, 43-13783, 43-2444

RE: Transfer No. 82025
Water Right No(s): 43-13070, 43-13072, 43-13792

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before December 26, 2017. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81836**

FED AGRIBUSINESS LLC, 568 W 1650 S, OAKLEY, ID 83346; has filed Application No. 81836 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 45-2381. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 0.04 cfs and three acre portion of an irrigation ground water right from a farm located approximately 3.25 to 9.0 miles south and 2.25 to 6.75 miles east of Murtaugh to an existing well located approximately 6.5 miles south and 1.0 mile west of Murtaugh. The transferred portion will be used for irrigation of one acre and domestic and stock water use at the new location approximately 6.5 miles south and 1.0 mile west of Murtaugh.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82012**

RED ROCK FARMS LLC, 2038 S HWY 81, MALTA, ID 83342; has filed Application No. 82012 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13543, 43-13605, 43-13774, 43-13775, 43-13783, 43-2444. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 1.73 cfs, 92.7 acre portion of a ground water right from a farm located approximately 4.5 to 8.0 miles south and 0.1 to 2.7 miles east of Malta to a farm located approximately 7.0 to 8.0 miles south and 2.8 to 3.8 miles east of Malta. The transferred water right portion will be diverted from three existing wells on the farm located approximately 7.0 to 8.0 miles south and 2.8 to 3.8 miles east of Malta. Transfer also proposes updating the legal description for one well to better describe the actual physical location of the well.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82025**

GW FINANCE CO LLC, 22 N YALE RD, DECLO, ID 83323; has filed Application No. 82025 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13070, 43-13072, 43-13792. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the currently authorized location of one of three points of diversion (POD) for three stockwater and commercial rights associated with a CAFO located approximately 13.4 to 14.3 miles east and 2.5 to 3.3 miles south of the intersection of Interstate Highways 84 and 86 east of Burley. The POD to be changed is located approximately 13.6 miles east and 3.1 miles south of the I-84/I-86 intersection, while the proposed POD location is a new well approximately 0.2 miles northeast in the adjacent quarter-quarter section. The three ground water rights allow the diversion of up to 0.63 cfs.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx . Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before **December 26, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on December 7th & 14th, 2017

MEMORANDUM

TO: Transfer # 81836 File

FROM: Corey Skinner

DATE: November 21, 2017

SUBJECT: Transfer Summary

Application proposes transferring a 0.04 cfs and three acre portion of an irrigation ground water right, 45-2381 from a farm located approximately 3.25 – 9.0 miles south and 2.25 – 6.75 miles east of Murtaugh to a recently drilled existing well located approximately 6.5 miles south and 1.0 mile west of Murtaugh. The transferred portion will be used for irrigation of one acre and domestic and stock water use at the new location approximately 6.5 miles south and 1.0 mile west of Murtaugh. The change in nature of use conversion (irrigation to stock water and domestic) was based on a value of 1.8 acre-feet per acre. This was based on a precipitation deficit value for spring grain in the Burley and Oakley areas. FSA crop reports showing that oats were grown on a portion of the farm that will no longer be irrigated were provided by the applicant. Note that for the 0.04 cfs, three acre, and 12 acre-foot per year portion being transferred, the resulting transferred portion is 0.04 cfs and 7.6 acre-feet. The 7.6 acre-foot value is based on one acre of irrigation at 4.0 acre-feet per year, one acre of irrigation being converted to domestic use at 1.8 acre-feet per year, and one acre of irrigation being converted to stock water use at 1.8 acre-feet per year ($4.0 + 1.8 + 1.8 = 7.6$).

The recently drilled well that will serve as the new point of diversion for the transferred portion is considered a low temperature geothermal well, since water warmer than 85 degrees was encountered when the well was drilled. In order to use water from the new well, a water right is required. This is what is prompting the applicant to file the transfer. Three of the wells listed as points of diversion for right 45-2381 are considered low temperature geothermal wells as outlined on a condition on the right. Right 45-2381 has combined use limits with rights 45-2380, 45-2589, and 45-7201, including a combined limit on how much water can be diverted from the three low temperature geothermal wells. These three rights will be treated as associated rights so the combined use limits can be modified accordingly as a result of the transfer.

The existing and proposed points of diversion are located within Water District 140 so water master comments will need to be solicited.

MEMORANDUM

TO: Transfer # 81836 File

FROM: Corey Skinner

DATE: November 21, 2017

SUBJECT: Filing Fee

The filing fee, \$450.00, for this transfer is based on the total amount of water being transferred, 0.04 cfs plus the \$250.00 change in nature of use fee. The transfer fee schedule for a transfer involving 0.0 – 0.20 cfs indicates that the filing fee is \$200.00.

FED AGRIBUSINESS, LLC

568 West 1650 South
OAKLEY, IDAHO 83346

E-MAIL: pickettranch@pmt.org

TELEPHONE
(208) 862-3482

FAX NO.
(208) 862-7482

October 3, 2017

Mr. Corey Skinner, Regional Director
Idaho Department of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, Idaho 83301-5858

RECEIVED
OCT 18 2017
DEPT OF WATER RESOURCES
SOUTHERN REGION

RE: APPLICATION FOR TRANSFER OF WATER RIGHT / TRANSFER NO. 81836

Dear Mr. Skinner:

Enclosed please find our Application for Transfer No. 81836 along with a check payable to the order of IDWR in the amount of \$450.00.

We think that all the required elements of the transfer application are complete; however, if there are any omissions, or if you have any questions or concerns, please feel free to contact us as referenced above, or I can be reached on my cell at (208) 300-3327.

Very truly yours,

FED AGRIBUSINESS, LLC

By:


Don F. Pickett, Member

DFP/

Encls.

Skinner, Corey

From: Don F. Pickett <donfp@pmt.org>
Sent: Monday, August 07, 2017 2:51 PM
To: Skinner, Corey
Subject: Fw: Application for Transfer of Water Right

Hello Corey,

It appears from Brian Higgs' following response that we will not run into any problems with SWID's mitigation plan. Also, I am told by several of our irrigators that the acreage in question has been irrigated within the past five years, although the wheel line(s) has now been relocated to another parcel. Therefore, I am forwarding the draft application today to MetLife for lender approval.

Don F. Pickett
Attorney at Law
1659 South 600 West
Oakley, ID 83346
Telephone: (208) 300-3327
Email: donfp@pmt.org

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From: Brian Higgs
Sent: Monday, August 07, 2017 1:11 PM
To: Don F. Pickett
Cc: Corey Skinner
Subject: Re: Application for Transfer of Water Right

Hi Don.

If your transfer application is approved it will not affect the mitigation plan.

Thank you.

Brian

From: Don F. Pickett
Sent: Friday, August 04, 2017 5:45 PM
To: Brian Higgs
Cc: Corey Skinner
Subject: Application for Transfer of Water Right

Hello Brian,

I am writing to ask that you please review the SWID Mitigation Plan to determine if we will have any conflicts with an application we are working on with IDWR to transfer three acres from Township 11 South Range 20 East, Section 33: NWNE. The attached draft application provides a specific proposed location where we desire to transfer irrigation rights to our Tugaw Ranch headquarters at the mouth of Dry Creek due to a domestic well that has gone dry. The issue is problematic for the reason that Apex Drilling got into some low temperature geothermal water while attempting to pull more than 2-3 gallons a minute out of the ground. If you will please review the attached draft application and let me know if this acreage is listed this acreage within the SWID Mitigation Plan, we will appreciate your assistance. You are probably aware that while Cranney was acting as a tenant, without our knowledge or authorization, he somehow listed a number of our parcels in the Murtaugh area as mitigation acreage (a matter that has caused us some significant concern).

Don F. Pickett
Attorney at Law
1659 South 600 West
Oakley, ID 83346
Telephone: (208) 300-3327
Email: donfp@pmt.org

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