

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80499**

This is to certify that: **BOISE VALLEY FEEDERS LLC**
2201 RIDGEWAY RD
PARMA, ID 83660

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>
63-31262	WR/LICENSE	6/6/2001	1.620 cfs	365.0 af	N/A	81.0	GROUND WATER
63-3359	WR/DECREED	6/28/1963	2.410 cfs	542.3 af	99.5	139.0	GROUND WATER
63-7874	WR/DECREED	11/19/1973	2.760 cfs	621.0 af	78.0	139.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
63-32049	WR/LICENSE	11/8/2004	3.680 cfs	704.0 af		134.0	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>
63-31262	NO	NO	NO	YES	NO	NO
63-3359	NO	NO	NO	YES	NO	NO
63-7874	NO	NO	NO	YES	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>
63-31262	63-31262	1.620 cfs	365.0 af	N/A	81.0	N/A	N/A	N/A	N/A	N/A
63-3359	63-3359	2.410 cfs	542.3 af	99.5	139.0	N/A	N/A	N/A	N/A	N/A
63-7874	63-7874	2.760 cfs	621.0 af	78.0	139.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.600 cfs	1260.5 af	139.0	220.0		N/A	N/A	N/A	N/A

SUPPORT DATA
IN FILE # 63-3359

Transfer No. 80499

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80499

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 October, 2016.


for _____
Chief, Water Allocation Bureau



WATER RIGHT NO. 63-7874**As Modified by Transfer No. 80499**

In accordance with the approval of Transfer No. 80499, Water Right No. 63-7874 is now described as follows:

Right Holder: BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY RD
PARMA, ID 83660

Priority Date: 11/19/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From
03/15
01/01

To
to 11/15
to 12/31

Diversion Rate

1,560 cfs
1,200 cfs
2,760 cfs

Diversion Volume

351.0 af
270.0 af
621.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec 13 Twp 06N Rge 05W PAYETTE County
GROUND WATER SESW Sec 13 Twp 06N Rge 05W PAYETTE County
GROUND WATER NWSE Sec 14 Twp 06N Rge 05W PAYETTE 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	
06N	05W	11															12.0	3.0	15.0
06N	05W	13										3.0							3.0
06N	05W	14	25.0	9.0	30.0	25.0									20.0	12.0			121.0

Right Acre Limit: 78.0

POU Total Acres: 139.0

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	
06N	05W	13						X	X		X	X							
06N	05W	14	X			X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 78 acres within the authorized place of use in a single irrigation season.

Transfer No. 80499

WATER RIGHT NO. 63-7874
As Modified by Transfer No. 80499

CONDITIONS OF APPROVAL

2. Rights 63-3359 and 63-7874 when combined shall not exceed a total diversion rate of 2.78 cfs and a total diversion volume of 625.5 afa for the irrigation of 139 acres; a total diversion rate of 1.20 cfs and a total diversion volume of 270 afa for stockwater use; and a total combined rate of 3.98 cfs and a total combined annual diversion volume of 895.5 AF at the field headgate.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/3/2009.
7. Stockwater use is for 20,000 beef cattle.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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.

WATER RIGHT NO. 63-3359**As Modified by Transfer No. 80499**

In accordance with the approval of Transfer No. 80499, Water Right No. 63-3359 is now described as follows:

Right Holder: BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY RD
PARMA, ID 83660

Priority Date: 6/28/1963

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From
03/15
01/01

To
to 11/15
to 12/31

Diversion Rate

1.990 cfs
0.420 cfs
2.410 cfs

Diversion Volume

447.8 af
94.5 af
542.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec 13 Twp 06N Rge 05W PAYETTE County
GROUND WATER SESW Sec 13 Twp 06N Rge 05W PAYETTE County
GROUND WATER NWSE Sec 14 Twp 06N Rge 05W PAYETTE County

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	
06N	05W	11															12.0	3.0	15.0
06N	05W	13										3.0							3.0
06N	05W	14	25.0	9.0	30.0	25.0									20.0	12.0			121.0

Right Acre Limit: 99.5

POU Total Acres: 139.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	13						X	X		X	X							
06N	05W	14	X			X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 99.5 acres within the authorized place of use in a single irrigation season.

Transfer No. 80499

WATER RIGHT NO. 63-3359

As Modified by Transfer No. 80499

CONDITIONS OF APPROVAL

2. Rights 63-3359 and 63-7874 when combined shall not exceed a total diversion rate of 2.78 cfs and a total diversion volume of 625.5 afa for the irrigation of 139 acres; a total diversion rate of 1.20 cfs and a total diversion volume of 270 afa for stockwater use; and a total combined rate of 3.98 cfs and a total combined annual diversion volume of 895.5 AF at the field headgate.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2009.
7. Stockwater use is for 20,000 beef cattle.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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.

WATER RIGHT NO. 63-31262
As Modified by Transfer No. 80499

In accordance with the approval of Transfer No. 80499, Water Right No. 63-31262 is now described as follows:

Right Holder: BOISE VALLEY FEEDERS LLC
 2201 RIDGEWAY RD
 PARMA, ID 83660

Priority Date: 6/6/2001

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	1.620 cfs	365.0 af
			1.620 cfs	365.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 13 Twp 06N Rge 05W PAYETTE County
GROUND WATER	SESW	Sec 13 Twp 06N Rge 05W PAYETTE County
GROUND WATER	NWSE	Sec 14 Twp 06N Rge 05W PAYETTE 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	
06N	05W	11															23.0		23.0
06N	05W	13										8.5							8.5
06N	05W	14	4.3	17.0	7.5						15.0				3.3	2.4			49.5

POU Total Acres: 81.0

CONDITIONS OF APPROVAL

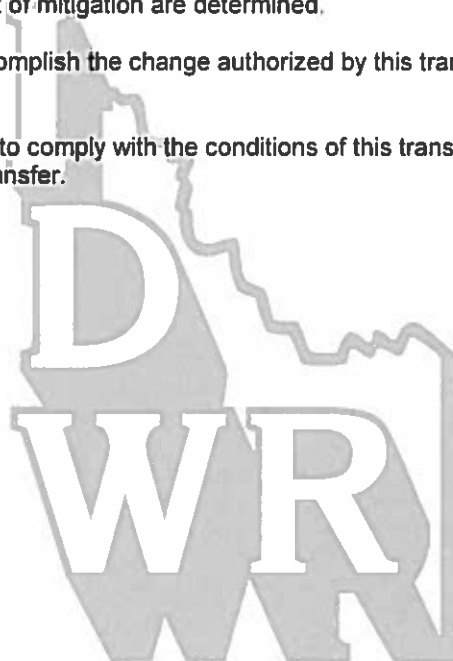
1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Water bearing zone to be appropriated is 350 to 605 feet.

Transfer No. 80499

WATER RIGHT NO. 63-31262
As Modified by Transfer No. 80499

CONDITIONS OF APPROVAL

5. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



WATER RIGHT NO. 63-32049**As Modified by Transfer No. 80499**

In accordance with the approval of Transfer No. 80499, Water Right No. 63-32049 is now described as follows:

Right Holder: BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY RD
PARMA, ID 83660

Priority Date: 11/8/2004

Source: GROUND WATER

BENEFICIAL USE

INDUSTRIAL
IRRIGATION

From

01/01
03/01

to 12/31
to 11/15

Diversion Rate

1.000 cfs
2.680 cfs
3.680 cfs

Diversion Volume

101.0 af
603.0 af
704.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec 13 Twp 06N Rge 05W PAYETTE County
GROUND WATER SESW Sec 13 Twp 06N Rge 05W PAYETTE County
GROUND WATER NWSE Sec 14 Twp 06N Rge 05W PAYETTE County

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	13						X	X		X	X							
06N	05W	14	X			X									X				

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	
06N	05W	24		33.0	35.0		33.0			33.0									134.0

POU Total Acres: 134.0

CONDITIONS OF APPROVAL

1. Industrial use is for feedlot dust control system.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 80499

WATER RIGHT NO. 63-32049
As Modified by Transfer No. 80499

CONDITIONS OF APPROVAL

4. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
5. The following rights are diverted through point(s) of diversion described above: 63-3359, 63-7874, 63-31262, and 63-32049.



State of Idaho
Department of Water Resources

Attachment to Application for Transfer of Water Right

Transfer No. 80499 Water Right No. 63-7874

This map depicts the IRRIGATION and STOCKWATER 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.



Legend

- POU Boundary - Irrigation
- POU Boundary - Stockwater
- Transfer POD
- Township/Range
- Sections
- QQ



0 0.125 0.25 0.5 Miles

State of Idaho
Department of Water Resources

Attachment to Application for Transfer of Water Right

Transfer No. 80499 Water Right No. 63-3359

This map depicts the IRRIGATION and STOCKWATER 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.



Legend

- POU Boundary - Irrigation
- POU Boundary - Stockwater
- Transfer POD
- Township/Range
- Sections
- QQ

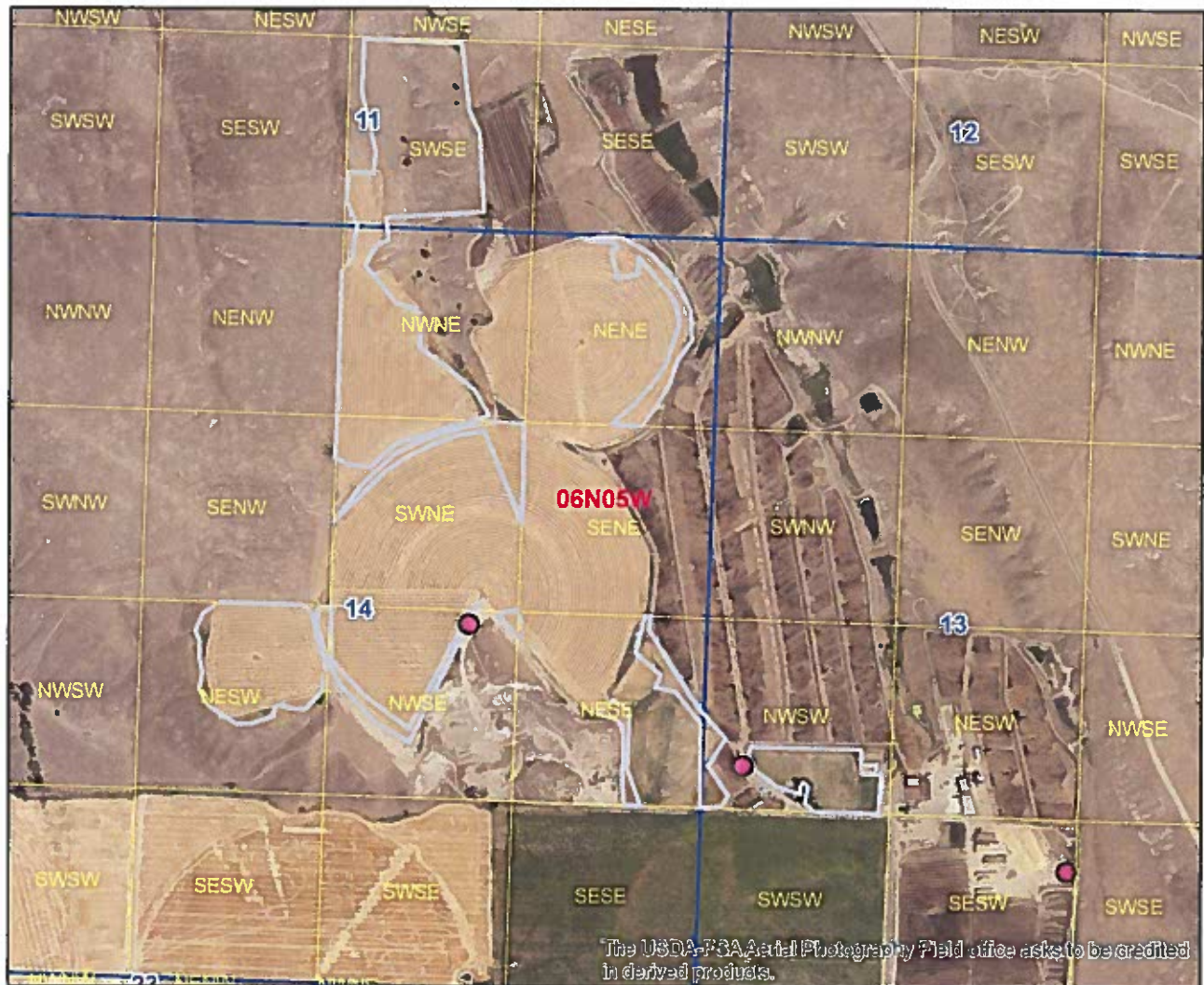
0 0.125 0.25 0.5 Miles

State of Idaho
Department of Water Resources

Attachment to Application for Transfer of Water Right

Transfer No. 80499 Water Right No. 63-31262

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.



Legend

- Transfer POD
- POU Boundary - Irrigation
- Township/Range
- Sections
- QQ



0 0.15 0.3 0.6 Miles

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 28 2015

WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. **APPLICANT(S)** Boise Valley Feeders, LLC Phone 208-722-8090

2. **MAILING ADDRESS** 2201 Ridgeway Rd City Parma

State ID Zip 83660 Email jess.painter@agribeeff.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 63-3359, 63-7874, 63-31262

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is *5.6 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

***63-3359 & 63-7874 limited to 3.98 cfs when combined**

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			SE	SW	13	6N	5W	Canyon	Ground Water	
No			NW	SW	13	6N	5W	Canyon	Ground Water	
No			NW	SE	14	6N	5W	Canyon	Ground Water	

6. 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:

Three existing wells, pumps, pressurized system. Measuring devices and lockable controlling works will be accommodated upon Department request.

- 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. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and 1/4 1/4 of section information. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts, provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Boise Valley Feeders LLC.
by Jess Painter Signature of applicant or authorized agent
Jess Painter General Manager 9-28-15 Print name and title if applicable Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes 10 pages of attachments.

Received by [Signature]

Date 10/20/15

Fee paid \$9000

Date 10/20/15

Received by [Signature]

Receipt # WD43628

Preliminary review by PJ

Date 01/15/16

Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☒

Name on W-9 P

W-9 forwarded to fiscal? Yes ☐ No ☒

(Do NOT scan the W-9 - confidential information is held by fiscal only)

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

Current Water Right No.: 63-3359

Current Owner: BOISE VALLEY FEEDERS LLC

Priority Date: 6/28/1963

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	1.99 CFS	447.8 AF
STOCKWATER	01/01 to 12/31	0.42 CFS	94.5 AF
	<u>Total Diversion</u>	2.41 CFS	542.3 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 14,	Twp 06N,	Rge 05W B.M.
PAYETTE County				
GROUND WATER	NW1/4SW1/4	Sec. 13,	Twp 06N,	Rge 05W B.M.
PAYETTE County				

Place of Use

IRRIGATION Within PAYETTE County

T06N R05W S11	SWSE	12.00	T06N R05W S11	SESE	3.00
T06N R05W S13	NWSW	3.00	T06N R05W S14	NENE	25.00
T06N R05W S14	NWNE	9.00	T06N R05W S14	SWNE	30.00
T06N R05W S14	SENE	25.00	T06N R05W S14	NESE	20.00
T06N R05W S14	NWSE	12.00			

Total Acres: 139

STOCKWATER Within PAYETTE County

T06N R05W S13	NWNW	T06N R05W S13	SWNW
T06N R05W S13	NESW	T06N R05W S13	NWSW
T06N R05W S14	NENE	T06N R05W S14	SENE

Page _____ of _____

Conditions of Approval:

1. F05 Right No. 63-7874 is also diverted through point of diversion described above.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. K06 This right is limited to the irrigation of 99.5 acres within the place of use described above in a single irrigation season.
5. X02 Stockwater use is for 20,000 beef cattle.
6. 01Q After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. T08 Failure of the right holder to comply with the conditions of Transfer 5220 is cause for the Director to rescind approval of the transfer.
8. E61 The rights listed below are limited to a total combined diversion rate of 2.78 cfs and 625.5 afa for the irrigation of 139 total acres; 1.20 cfs and 270 afa for stockwater use; and a total combined diversion rate of 3.98 cfs and a total combined annual diversion volume of 895.5 AF. Combined Right Nos.: 63-3359 and 63-7874.
9. T07 The right holder shall accomplish the change authorized by Transfer 5220 within one (1) year of the date of the approval.
10. T17 Prior to diversion of water under Transfer 5220, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
11. The total instantaneous diversion rate from all points of diversion under under Transfer 5220 shall not exceed 3.98 cfs, nor a total combined annual volume of 895.5 af.

Decreed Date: 2/6/2009

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

Current Water Right No.: 63-7874

Current Owner: BOISE VALLEY FEEDERS LLC
Priority Date: 11/19/1973
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	1.56 CFS	351 AF
STOCKWATER	01/01 to 12/31	1.2 CFS	270 AF
	<u>Total Diversion</u>	2.76 CFS	621 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 14,	Twp 06N,	Rge 05W B.M.
PAYETTE County				
GROUND WATER	NW1/4SW1/4	Sec. 13,	Twp 06N,	Rge 05W B.M.
PAYETTE County				

Place of Use

IRRIGATION Within PAYETTE County

T06N R05W S11	SWSE	12.00	T06N R05W S11	SESE	3.00
T06N R05W S13	NWSW	3.00	T06N R05W S14	NENE	25.00
T06N R05W S14	NWNE	9.00	T06N R05W S14	SWNE	30.00
T06N R05W S14	SENE	25.00	T06N R05W S14	NESE	20.00
T06N R05W S14	NWSE	12.00			

Total Acres: 139

STOCKWATER Within PAYETTE County

T06N R05W S13	NWNW	T06N R05W S13	SWNW
T06N R05W S13	NESW	T06N R05W S13	NWSW
T06N R05W S14	NENE	T06N R05W S14	SENE

Page _____ of _____

Conditions of Approval:

1. The total instantaneous diversion rate of water from all authorized points of diversion under Transfer 5220 shall not exceed 3.98 cfs, nor a total combined annual volume of 895.5 AF.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. E61 The rights listed below are limited to a total combined diversion rate of 2.78 cfs and to a total combined annual diversion volume of 625.5 af for irrigation of 139 acres; 1.20 cfs and 270 afa for stockwater use; and a total combined diversion rate of 3.98 cfs and a total annual maximum diversion volume of 895.5 AF. Combined Right Nos.: 63-3359 and 63-7874.
4. T07 The right holder shall accomplish the change authorized by Transfer 5220 within one (1) year of the date of this approval.
5. K06 This right is limited to the irrigation of 78 acres within the place of use described above in a single irrigation season.
6. T17 Prior to diversion of water under Transfer 5220, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. 01Q After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
9. T08 Failure of the right holder to comply with the conditions of Transfer 5220 is cause for the Director to rescind approval of the transfer.
10. F05 Right No. 63-3359 is also diverted through point of diversion described above.
11. X02 Stockwater use is for 20,000 beef cattle.

Decreed Date: 4/3/2009

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

Current Water Right No.: 63-31262

Current Owner: BOISE VALLEY FEEDERS LLC

Priority Date: 6/6/2001

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

03/01 to 11/15

1.62 CFS

365 AF

Total Diversion

1.62 CFS

365 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4SW1/4

Sec 13, Twp 06N, Rge 05W B.M.

PAYETTE County

GROUND WATER

NW1/4SE1/4

Sec 14, Twp 06N, Rge 05W B.M.

PAYETTE County

Place of Use

IRRIGATION Within PAYETTE County

T06N R05W S11	SWSE	23.00	T06N R05W S13	NWSW	8.50
T06N R05W S14	NENE	4.30	T06N R05W S14	NWNE	17.00
T06N R05W S14	SWNE	7.50	T06N R05W S14	NESW	15.00
T06N R05W S14	NESE	3.30	T06N R05W S14	NWSE	2.40

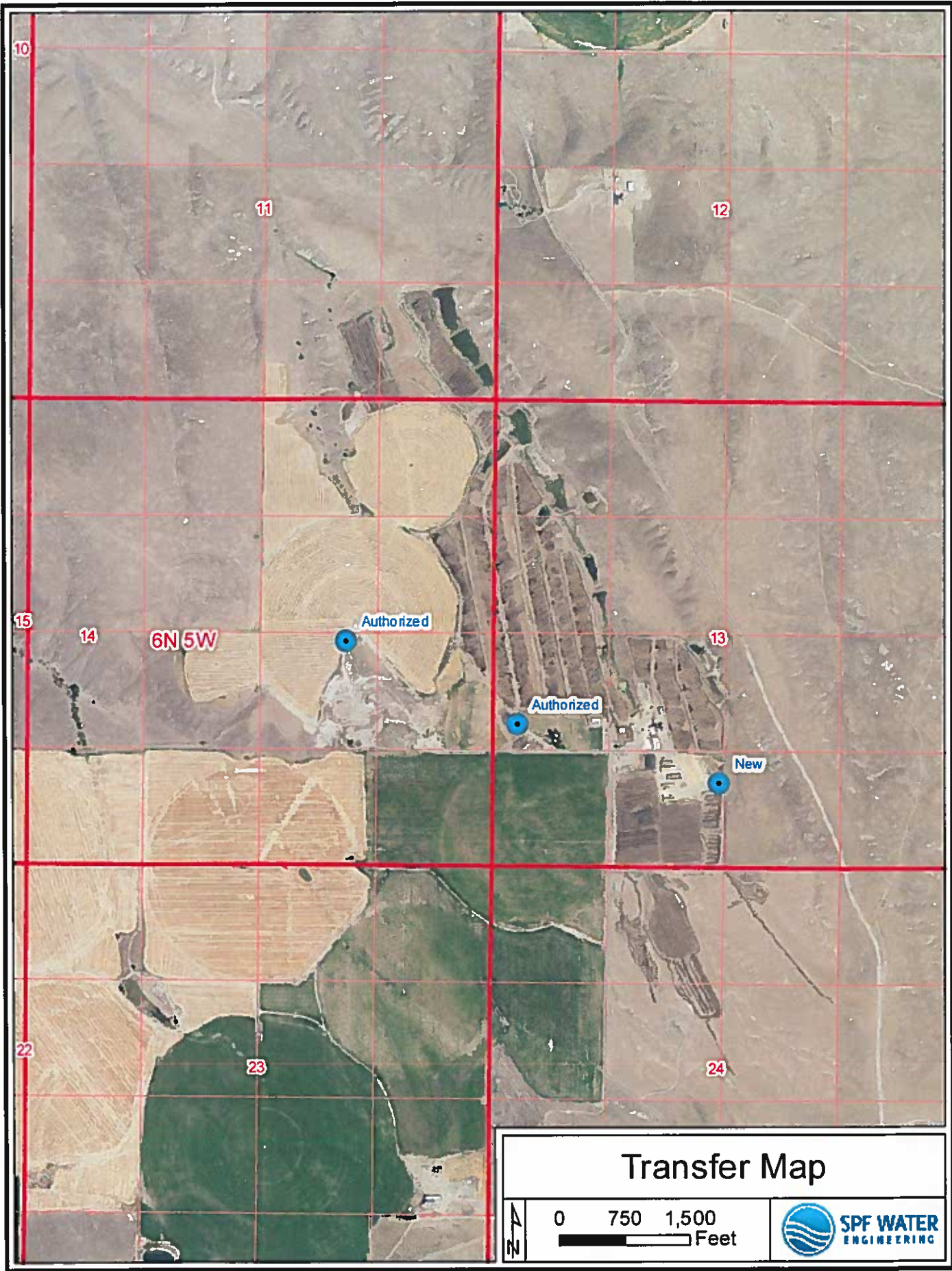
Total Acres: 81

Page _____ of _____

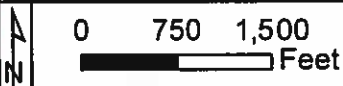
Conditions of Approval:

1. Water bearing zone to be appropriated is 350 to 535 feet.
2. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for Irrigation of the lands above.
4. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
5. F06 The following rights are diverted through point(s) of diversion described above: 63-3359, 63-7874, and 63-31262.

Licensed Date: 8/24/2011



Transfer Map



No. W 5341		Due no later than Jan 31, 2016 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		1. Mailing Address: Correct in this box if needed. BOISE VALLEY FEEDERS, L.L.C. KIM STUART 1555 SHORELINE DRIVE SUITE 320 BOISE ID 83702		KIM STUART 1555 SHORELINE DR SUITE 320 BOISE ID 83702		
				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	WEST VALLEY FARMS & LIVESTOCK	24007 HWY 20-26	PARMA	ID	USA	83660
MEMBER	AB LIVESTOCK LLC	1555 SHORELINE DRIVE SUITE 320	BOISE	ID	USA	83702
5. Organized Under the Laws of: ID W 5341		6. Annual Report must be signed.* Signature: Kim Stuart Name (type or print): Kim Stuart Date: 12/24/2015 Title: Member				
Processed 12/24/2015		* Electronically provided signatures are accepted as original signatures.				

No. W 45722	Due no later than Dec 31, 2015		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	1. Mailing Address: Correct in this box if needed. AB LIVESTOCK, LLC KIM STUART 1555 SHORELINE DR SUITE 320 BOISE ID 83702		KIM STUART 1555 SHORELINE DR SUITE 320 BOISE ID 83702			
			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	AGRI BEEF CO.	1555 SHORELINE DRIVE SUITE 320	BOISE	ID	USA	83702
5. Organized Under the Laws of: ID W 45722		6. Annual Report must be signed.* Signature: Kim Stuart Name (type or print): Kim Stuart Date: 10/15/2015 Title: Officer				
Processed 10/15/2015		* Electronically provided signatures are accepted as original signatures.				

80499 Attachments pg 9- Authorized Signers

No. C 51261		Due no later than Apr 30, 2015 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		1. Mailing Address: Correct in this box if needed. AGRI BEEF CO. ROBERT REBHOLTZ P. O. BOX 6640 BOISE ID 83707		KIM STUART 1555 SHORELINE DR., SUITE 320 BOISE 83702		
				3. <u>New</u> Registered Agent Signature:*		
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	TERESA CLEARY	P.O. BOX 6640	BOISE	ID	USA	83707
PRESIDENT	ROBERT N REBHOLTZ, JR	P.O. BOX 6640	BOISE	ID	USA	83707
SECRETARY	KIM STUART	P.O. BOX 6640	BOISE	ID	USA	83707
DIRECTOR	ROBERT N REBHOLTZ, JR	P.O. BOX 6640	BOISE	ID	USA	83707
DIRECTOR	W.B. RAWLINGS	P.O. BOX 6640	BOISE	ID	USA	83707
DIRECTOR	RUSSELL T. LUND	P.O. BOX 6640	BOISE	ID	USA	83707
DIRECTOR	TODD LINDSEY	P.O. BOX 6640	BOISE	ID	USA	83707
DIRECTOR	KIRK SMITH	P.O. BOX 6640	BOISE	ID	USA	83707
DIRECTOR	BRENT JONES	P.O. BOX 6640	BOISE	ID	USA	83707
DIRECTOR	JOHN PREHN	P.O. BOX 6640	BOISE	ID	USA	83707
5. Organized Under the Laws of:		6. Annual Report must be signed.*				
ID C 51261		Signature: Kim Stuart		Date: 03/06/2015		
		Name (type or print): Kim Stuart		Title: Secretary		
Processed 03/06/2015		* Electronically provided signatures are accepted as original signatures.				

Kim Stuart authorized Jess Painter via letter received 2/5/16



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

October 5, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY RD
PARMA ID 83660

Re: Transfer No: 80499

Water Right No(s): 63-3359, 63-7874, 63-31262, 63-32049

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)334-2190.

Sincerely,

 Rachel Neely for.

Nick Miller

Western Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 80499

Water Right No(s): 63-3359, 63-7874, 63-31262, 63-32049

**BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY RD
PARMA ID 83660**



**Rachel Neely
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

TO: Transfer No. 80499

FROM: Phill Hummer

DATE: 02/19/16

RE: Evaluation of Application

This transfer proposes to add a new diversion from an existing well to three water rights no 63-3359, 63-7874, and 63-31262.

The site is located about 9 kilometers north east of Parma ID in the SE ¼ SW ¼ and NW ¼ SW ¼ of section 13, T06N, R05W and the NW ¼ SE ¼ of section 14, T06N, R05W.

The contact person for the applicant is Lori Graves, Water Rights Specialist with SPF Water Engineering.

Summary of Information Submitted

Authority to File:

Kim Stuart is listed as the secretary of AGRI Beef Co. on the Idaho Secretary of State website. AGRI Beef Co. is listed as a member of AB Livestock LLC which is a member of Boise Valley Feeders LLC, giving her authority to authorize signators. On February 5, 2016 the department received a statement from Kim Stuart via email authorizing Jess Painter to sign the transfer application.

Water Right Validity:

The partial decree for water rights no. 63-3359 and 63-7874 were issued on 02/06/2009 and 04/03/2009, beneficial use has occurred within the last five years as evidenced by irrigated lands visible on Arcview imagery from the year 2011 and 2015. Water right no. 63-31262 is presumed to be valid based on a license issue date within the past five year (08/24/2011). SRBA is not applicable to this right developed after 1987.

Injury to Other Water Rights:

There is no anticipated injury to holders of existing water rights because the water is not delivered in rotation, the POD is not in a groundwater management area or critical groundwater area, the source will remain groundwater likely from the same aquifer, and there will be no conveyance losses (not diverting from a canal). Additionally, there will be no reduction in the quantity or quality of water available to existing water users or unreasonable effort or an expense as a result of this transfer because the new POD is an existing well and is currently use for irrigation under another water right. The intent of this transfer is the ability to utilize all the wells on the property for each water right

owned by Boise Valley Feeders LLC, adding an additional POD will not result in any more water being withdrawn from the aquifer on an annual basis than that which was already occurring.

Enlargement of Use:

This transfer will not create an enlargement of use, adding an additional POD will not result in any more water being withdrawn from the aquifer on an annual basis than that which was already occurring.

Local Public Interest:

The application proposes beneficial use consistent with local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Summary

The purpose of this transfer application is to allow Boise Valley Feeders LLC to divert water authorized under any of their water rights from any of their wells. Therefore, conditions R65 should be used on all irrigation water rights involved in this transfer and any associated water rights. Condition 046 should be used since this transfer proposes development of a groundwater source. Condition F06 should be updated on all associated water rights.

If approved the following out dated conditions and adjudication conditions should be updated or replaced with the listed current water right conditions.

- E61 to X61
- T17 & 01Q to 01M
- K06 to X27
- S39 to X61
- F05 to F06
- Remove text condition
- Replace C18 with T19

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

I, Kim Stuart, do hereby approve and authorize Jess Painter to sign for the water transfer application 80499 submitted for Boise Valley Feeders.

RECEIVED

FEB 05 2016

WATER RESOURCES
WESTERN REGION

Kim Stuart 2/5/16
Kim Stuart Date

Chief Financial Officer
Title

Hummer, Phill

From: Lori Graves [LGraves@spfwater.com]
Sent: Friday, February 05, 2016 3:10 PM
To: Hummer, Phill
Subject: FW: Boise Valley Feeder LLC Transfer 80499
Attachments: Scanned from 2ndFloorLVSTK.PDF; ATT00001.htm

Categories: More Info Emails

Here you go Phil. Please let me know if you need anything else.

From: James Thompson [<mailto:James.Thompson@agrib Beef.com>]
Sent: Friday, February 05, 2016 2:49 PM
To: Lori Graves <LGraves@spfwater.com>; Jess Painter <Jess.Painter@agrib Beef.com>
Subject: Fwd: Boise Valley Feeder LLC Transfer 80499

James Thompson
(208) 761-0455
Sent from my iPhone

Begin forwarded message:

From: Kim Stuart <Kim.Stuart@agrib Beef.com>
Date: February 5, 2016 at 2:47:46 PM MST
To: James Thompson <James.Thompson@agrib Beef.com>
Cc: Jess Painter <Jess.Painter@agrib Beef.com>
Subject: RE: Boise Valley Feeder LLC Transfer 80499

Hi James,
Attached is the authorization form. Please let me know if you need anything else.
Thanks,
Kim

From: James Thompson
Sent: Friday, February 05, 2016 2:07 PM
To: Kim Stuart
Cc: Jess Painter
Subject: FW: Boise Valley Feeder LLC Transfer 80499

Hi Kim,

Jess signed for water rights transfer but he currently is not authorized with the Idaho Dept. of Water Resources. Can you please sign and return the authorization document to authorize Jess' signature for this transaction.

Thanks,
James

From: Jess Painter
Sent: Thursday, January 28, 2016 9:36 AM
To: James Thompson <James.Thompson@agribeef.com>
Subject: Fwd: Boise Valley Feeder LLC Transfer 80499

Sent from my iPhone

Begin forwarded message:

From: Lori Graves <LGraves@spfwater.com>
Date: January 28, 2016 at 8:05:41 AM MST
To: "Jess.painter@agribeef.com" <Jess.painter@agribeef.com>
Subject: FW: Boise Valley Feeder LLC Transfer 80499

Jess,

Can you please provide me with a statement for IDWR giving you authorization to sign the transfer application?

From: Hummer, Phill [<mailto:Phill.Hummer@idwr.idaho.gov>]
Sent: Wednesday, January 27, 2016 3:29 PM
To: Lori Graves <LGraves@spfwater.com>
Subject: Boise Valley Feeder LLC Transfer 80499

Hi Lori,

I am getting ready to finalize the transfer application submitted for Boise Valley Feeders LLC. The only issue with the application is that the individual who signed the application does not have the authority to sign it. I realize that she is listed as the general manager of Boise Valley Feeders LLC on their website and listed her title as such. However, without other documentation the department must use the most current annual reports available on the Idaho secretary of state website. I have done my best to trace back the members of the companies until only individuals are listed instead of companies and Jess Painter's name is not listed. I have attached the reports that I was able to find. Please submit a statement from the appropriate person authorizing Jess Painter to sign the transfer application or an amended application signed by an individual listed on the secretary of state annual reports.

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Fax: (208) 334-2348
Email: phill.hummer@idwr.idaho.gov



SPF WATER
ENGINEERING

October 23, 2015

RECEIVED

OCT 28 2015

WATER RESOURCES
WESTERN REGION

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer

Dear Angie,

Enclosed on behalf of Boise Valley Feeders is an *Application for Transfer* requesting the use of an additional point of diversion under water rights 63-3359, 63-7874 and 63-31262.

Check No. 26240727 for \$900 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Jess Painter

Enclosures

SPF file number: 235.0110