STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78277, 78278 & 78279

This is to certify that: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

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

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
61-11974	WR/DECREED	6/17/1966	4.240 cfs	890.0 af	212.0	373.0	GROUND WATER
61-12186	WR/DECREED	8/30/1971	4.210 cfs	842.9 af	210.7	540.0	GROUND WATER
61-12204	WR/LICENSE	10/29/1993	1.720 cfs	632.2 af	158.0	540.0	GROUND WATER
61-12206	WR/DECREED	6/4/1976	0.400 cfs	105.4 af	26.3	540.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
61-11974	NO	YES	YES	NO	NO	NO
61-12186	YES	YES	YES	NO	NO	NO
61-12204	NO	YES	YES	NO	NO	NO
61-12206	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
61-11974	61-11974	4.240 cfs	890.0 af	212.0	465.0	N/A	N/A	N/A	N/A	N/A
61-12186	61-12277	2.120 cfs	152.4 af	27.7	373.0	61-12186	2.090 cfs	690.5 af	183.0	465.0
61-12204	61-12204	1.720 cfs	632.2 af	158.0	373.0	N/A	N/A	N/A	N/A	N/A
61-12206	61-12206	0.400 cfs	105.4 af	26.3	373.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**8.540 cfs**	**2356.1 af**	**578.5**	**838.0**		**2.09 cfs**	**690.5 af**	**183.0**	**465.0**

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 7th day of June, 2016.

for Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 61-11974

Transfer No. 78277, 78278 & 78279

WATER RIGHT NO. 61-12186

As Modified by Transfer No. 78279

In accordance with the approval of Transfer No. 78279, Water Right No. 61-12186 is now described as follows:

Right Holder: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

Priority Date: 8/30/1971

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	2.090 cfs	690.5 af
				2.090 cfs	690.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 26	Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SWNW	Sec 35	Twp 04S	Rge 06E	ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	06E	35					40.0	32.0	38.0	39.0	39.0	40.0	39.0	39.0					306.0
05S	06E	2					30.0	30.0	11.0	11.0	38.0	39.0							159.0
							L 3	L 4											

Right Acre Limit: 183.0
POU Total Acres: 465.0

CONDITIONS OF APPROVAL

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

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. 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 8/26/2014.

WATER RIGHT NO. 61-12186

As Modified by Transfer No. 78279

CONDITIONS OF APPROVAL

4. Rights 61-11974 and 61-12186 are limited to the irrigation of a specific 366.5 acres within the 465.0 acre place of use authorized by this right in a single irrigation season. The specific 366.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 366.5 acres to be irrigated within the 465.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

5. This right is limited to the irrigation of 183.0 acres within the authorized place of use in a single irrigation season.

6. Rights 61-11974 and 61-12186 when combined shall not exceed a total diversion rate of 4.30 cfs, a total annual maximum diversion volume of 1,466.1 af at the field headgate, and the irrigation of 366.5 acres.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. 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.

9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.

10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

11. The following rights are diverted through point(s) of diversion described above: 61-11974 and 61-12186.

WATER RIGHT NO. 61-12277

As Modified by Transfer No. 78279

In accordance with the approval of Transfer No. 78279, Water Right No. 61-12277 is now described as follows:

Right Holder: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

Priority Date: 8/30/1971

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	2.120 cfs	152.4 af
				2.120 cfs	152.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 11 Twp 04S Rge 05E ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	05E	10	20.0			40.0									39.0			39.0	138.0
04S	05E	11						25.0	39.0			38.0	39.0						141.0
04S	05E	14						39.0	39.0			16.0							94.0

Right Acre Limit: 27.7
POU Total Acres: 373.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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 8/26/2014.

WATER RIGHT NO. 61-12277

As Modified by Transfer No. 78279

CONDITIONS OF APPROVAL

4. Rights 61-12204, 61-12206 and 61-12277 are limited to the irrigation of a specific 212.0 acres within the 373.0 acre place of use authorized by this right in a single irrigation season. The specific 212.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 212.0 acres to be irrigated within the 373.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

5. This right is limited to the irrigation of 27.7 acres within the authorized place of use in a single irrigation season.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

7. 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.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.

9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

10. The following rights are diverted through point(s) of diversion described above: 61-12204, 61-12206, and 61-12277.

WATER RIGHT NO. 61-11974

As Modified by Transfer No. 78277

In accordance with the approval of Transfer No. 78277, Water Right No. 61-11974 is now described as follows:

Right Holder: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

Priority Date: 6/17/1966

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	4.240 cfs	890.0 af
				4.240 cfs	890.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 26 Twp 04S Rge 06E ELMORE County
GROUND WATER	SWNW	Sec 35 Twp 04S Rge 06E ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	06E	35					40.0	32.0	38.0	39.0	39.0	40.0	39.0	39.0					306.0
05S	06E	2					30.0	30.0	11.0	11.0	38.0	39.0							159.0
							L 3	L 4											

Right Acre Limit: 212.0
POU Total Acres: 465.0

CONDITIONS OF APPROVAL

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

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. 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 8/26/2014.

WATER RIGHT NO. 61-11974

As Modified by Transfer No. 78277

CONDITIONS OF APPROVAL

4. Rights 61-11974 and 61-12186 are limited to the irrigation of a specific 366.5 acres within the 465.0 acre place of use authorized by this right in a single irrigation season. The specific 366.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 366.5 acres to be irrigated within the 465.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

5. This right is limited to the irrigation of 212 acres within the place of use described above in a single irrigation season.

6. Rights 61-11974 and 61-12186 when combined shall not exceed a total diversion rate of 4.30 cfs, a total annual maximum diversion volume of 1,466.1 af at the field headgate, and the irrigation of 366.5 acres.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. 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.

9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

10. The following rights are diverted through point(s) of diversion described above: 61-11974 and 61-12186.

WATER RIGHT NO. 61-12204

As Modified by Transfer No. 78278

In accordance with the approval of Transfer No. 78278, Water Right No. 61-12204 is now described as follows:

Right Holder: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

Priority Date: 10/29/1993

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	1.720 cfs	632.2 af
				1.720 cfs	632.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 11 Twp 04S Rge 05E ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	05E	10	20.0			40.0									39.0			39.0	138.0
04S	05E	11						25.0	39.0			38.0	39.0						141.0
04S	05E	14						39.0	39.0			16.0							94.0

Right Acre Limit: 158.0
POU Total Acres: 373.0

CONDITIONS OF APPROVAL

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

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. Rights 61-12204, 61-12206 and 61-12277 are limited to the irrigation of a specific 212.0 acres within the 373.0 acre place of use authorized by this right in a single irrigation season. The specific 212.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 212.0 acres to be irrigated within the 373.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

4. This right is limited to the irrigation of 158.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 78278

WATER RIGHT NO. 61-12204

As Modified by Transfer No. 78278

CONDITIONS OF APPROVAL

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. 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.

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

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

9. The following rights are diverted through point(s) of diversion described above: 61-12204, 61-12206, and 61-12277.

WATER RIGHT NO. 61-12206

As Modified by Transfer No. 78278

In accordance with the approval of Transfer No. 78278, Water Right No. 61-12206 is now described as follows:

Right Holder: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

Priority Date: 6/4/1976

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	0.400 cfs	105.4 af
				0.400 cfs	105.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 11 Twp 04S Rge 05E ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	05E	10	20.0			40.0									39.0			39.0	138.0
04S	05E	11						25.0	39.0			38.0	39.0						141.0
04S	05E	14						39.0	39.0			16.0							94.0

Right Acre Limit: 26.3
POU Total Acres: 373.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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 8/26/2014.

WATER RIGHT NO. 61-12206

As Modified by Transfer No. 78278

CONDITIONS OF APPROVAL

4. Rights 61-12204, 61-12206 and 61-12277 are limited to the irrigation of a specific 212.0 acres within the 373.0 acre place of use authorized by this right in a single irrigation season. The specific 212.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 212.0 acres to be irrigated within the 373.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

5. This right is limited to the irrigation of 26.3 acres within the authorized place of use in a single irrigation season.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

7. 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.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.

9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

10. The following rights are diverted through point(s) of diversion described above: 61-12204, 61-12206, and 61-12277.

State of Idaho
Department of Water Resources

Attachment to Application for Transfer

78277, 78278 and 78279

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

- 61-11974 & 61-12186 POD
- 61-11974 & 61-12186 Irrigated POU
- 61-12204, 61-12206 & 61-12277 POD
- 61-12204, 61-12206 & 61-12277 Irrigated POU
- Townships
- PLS Sections
- Quarter Quarters

0 0.75 1.5 3 Miles

N

Rev 07/13

RECEIVED
AUG 29 2014
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) TLK Properties, LLP Phone 208-587-9855

Mailing address 650 N 2nd East Mtn Home ID 83647 Email lindaketterling@gmail.c

☐ 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 Thomas H Carson Phone 208-468-3500

Mailing address 650 N 2nd East Mtn Home ID 83647 Email thomas.h.carson@gmail.com

☐ 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.

Terry L. Ketterling — Signature of Applicant or Authorized Representative

Terry L Ketterling, Manager — Print Name and Title if applicable

Aug 28 2014 — Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Change nature of use ☐ Add diversion point(s) ☐ Change period of use ☒ Change place of use ☐ Other _____

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.**

This replaces IDWR transfer #78277

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.

All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒	☐	61-11974	4.24/890	Irrigation	3-15 to 11-15	Groundwater
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 4.24 cfs and/or 890 acre-feet.

2. Total amount of water proposed to be transferred or changed 4.24 cubic feet per second and/or 890 acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NW	NE	26	4S	6E	Elmore	Groundwater	
			SW	NW	35	4S	6E	Elmore	Groundwater	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	6E	35					40	10	38	39	39	40	39	39					284
5S	6E	2					29	29	10	9	38	39							154
							L3	L4											

* Limited to 212 acres

Total Acres (for irrigation use) 438 *

→ SEE PAGE 3 OF TRANSFER APP 78279 FOR POU DESCRIPTION.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Could be added at POD

b. Who owns the property at the point(s) of diversion? TLK Properties LLP

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

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

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

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:

Negligible.

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

61-12206 and 61-12204 will be transferred to lands presently covered by 61-11974
61-12186 will partially be transferred to lands presently covered by 61-11974

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:

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: ______________

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres (for irrigation use) ______

4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

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

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.** If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a.**

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments.

Received by _____ Date 8-29-14 Preliminary check by P. Kelly Date 12-15-15

Fee paid $330.00 Date 12-11-08 Receipted by _____ Receipt # W037089

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

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

Current Water Right No.: 61-11974

Current Owner: TLK PROPERTIES LLLP

Priority Date: 6/17/1966

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	4.24 CFS	890 AF
	Total Diversion	4.24 CFS	890 AF

Location of Point(s) of Diversion

GROUND WATER — NW1/4SW1/4SW1/4 Sec. 11, Twp 04S, Rge 05E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

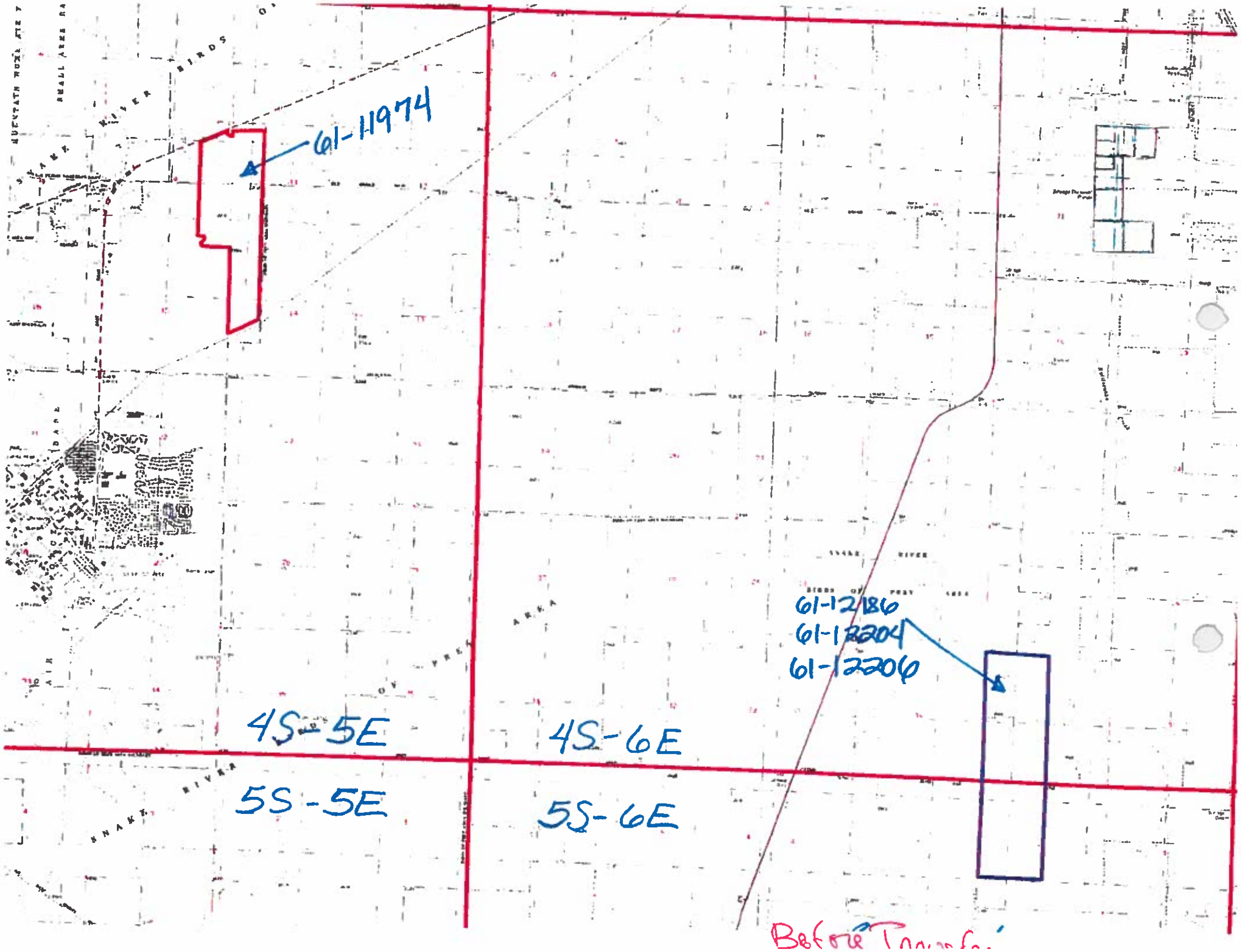
T04S R05E S10	NENE	20.00	T04S R05E S10	SENE	40.00
T04S R05E S10	NESE	39.00	T04S R05E S10	SESE	39.00
T04S R05E S11	NWNW	25.00	T04S R05E S11	SWNW	39.00
T04S R05E S11	NWSW	38.00	T04S R05E S11	SWSW	39.00
T04S R05E S14	NWNW	39.00	T04S R05E S14	SWNW	39.00
T04S R05E S14	NWSW	16.00			

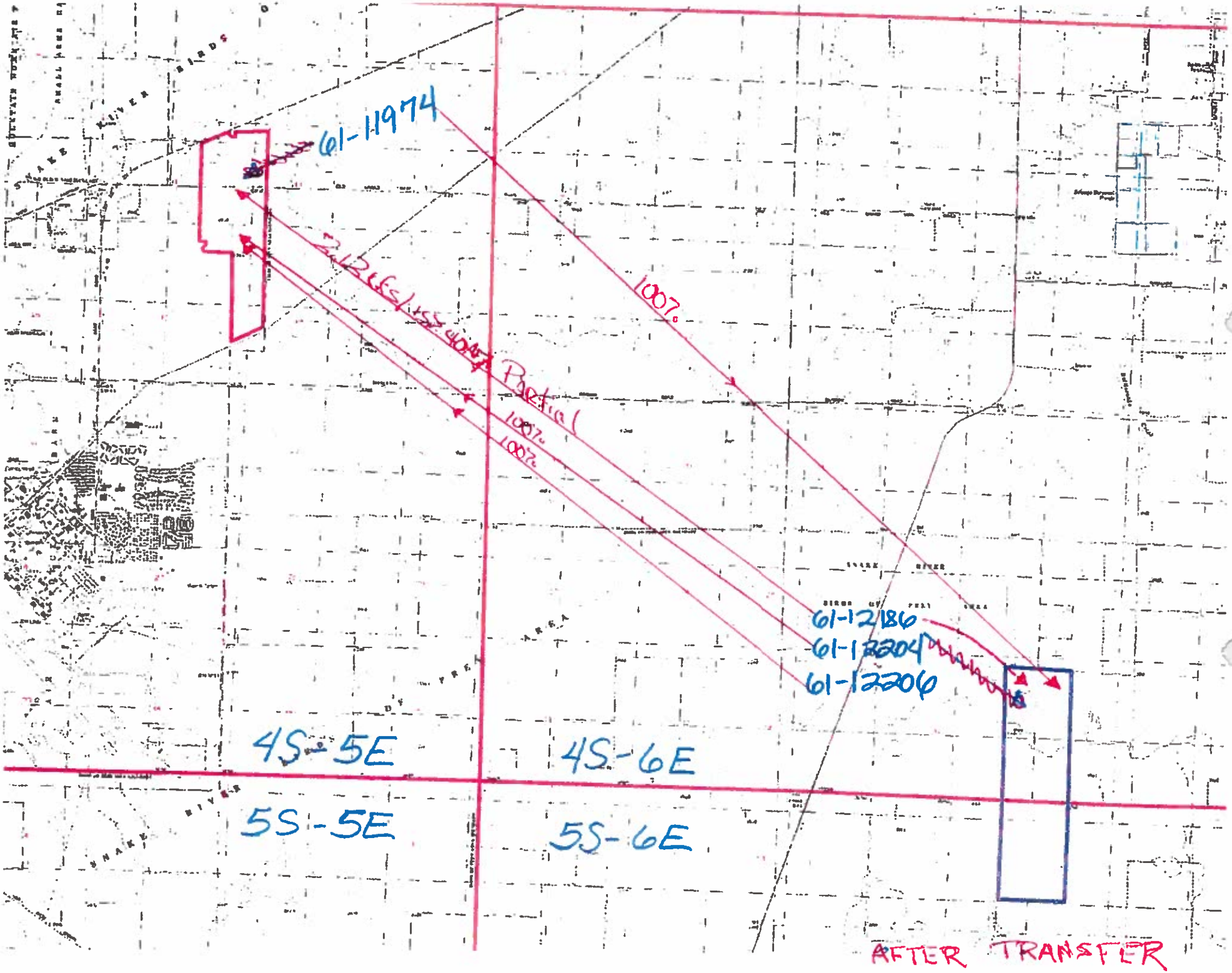
Total Acres: 373

Conditions of Approval:

1. X27 This right is limited to the irrigation of 212 acres within the place of use described above in a single irrigation season.
2. X63 All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 10/26/2000


61-11974
61-12186
61-12204
61-12206
4S-5E
4S-6E
5S-5E
5S-6E
SNAKE RIVER
Before Transfer


61-11974
100%
Partial
100%
100%
61-12186
61-12204
61-12206
4S-5E
4S-6E
5S-5E
5S-6E
AFTER TRANSFER

8

222

NEW DAIRY

Page _____ of _____

Transfer No. ~~75307~~ 78277

RECEIVED

DEC 11 2008

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

SUPERCEDED BY 8-29-2014 APP

Name of applicant TERRY L. AND LINDA K KETTERLING Phone ~~208-587-9855~~

Post Office address 475 E. 16TH N., MOUNTAIN HOME, IDAHO 83647 587-9855

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point ☒ Change place of use
   ☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes COMMERCIAL AND STOCKWATER (DAIRY)

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
61-11974	6/17/1966	2.82/502	Stock/comm.	1/1 to 12/31
				to
				to
				to

2. Total amount of water being transferred 2.82 cubic feet per second and/or 502 acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
~~4~~	~~NW~~	NW	~~NW~~ NE	~~2~~ 3	5S	6E	Elmore	#1 NEW WELL
2	NW	NW	NE	2	5S	6E	Elmore	#2 EXISTING WELL
	NW	NW	SW	35	4S	6E	Elmore	#3 EXISTING WELL

5. Lands irrigated or place of use: C. COMERCIAL S. STOCKWATER

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 S	6 E	2					C.S	C.S.	C.S	C.S		C.S.	C.S.						
							LT3	LT4											

Printed 11/6/08 11:05

Total acres _____

PART 1

6. General Information:

a. Description of diversion system (2) EXISTING WELLS AND (1) NEW WELL,WITH MOTORS PUMPS.

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

☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

DRY UP THE LAND AND USE THE WATER FOR COMMERCIAL AND STOCK USE.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

_____

Form 1-222
12-90

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 61-11974 Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

   ☐ Tax notice ☒ Warranty Deed ☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date of priority 6/17/1966

5. Water is used for the following purpose:

   Amount (cfs/ac-ft) 4.24/890 for Irrigation purposes from 3/15 to 11/15
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 4.24 cubic feet per second and/or 890 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	SW	11	4S	5E	Elmore	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	5E	10	20			40									39			39	138
4S	5S	11						25	39			38	39						141
4S	5E	14						39	39			16							94

Total acres 373

9. Describe any other water rights used for the same purpose as described above NONE

PART 2

Transfer No. ____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe ____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount (cfs/ac-ft) 2.82/502 for Stock/comm. purposes from 1/1 to 12/31
   Amount (cfs/ac-ft) ____ for ____ purposes from ____ to ____
   Amount (cfs/ac-ft) ____ for ____ purposes from ____ to ____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
4	NW	NW	NW	2	5S	6E	Elmore	1 NEW
2	NW	NW	NE	2	5S	6E	Elmore	2 EXISTING
	NW	NW	SW	35	4S	6E	Elmore	3 EXISTING

3. Lands irrigated or place of use: Limited to 141 A/yr

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	5E	10													11			39	50
		11						25	39			38	39						141
		14						39	39			16							94

Total acres 285

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount (cfs/ac-ft) ____ for ____ purposes from ____ to ____
   Amount (cfs/ac-ft) ____ for ____ purposes from ____ to ____
   Amount (cfs/ac-ft) ____ for ____ purposes from ____ to ____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres ____

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/17/2008

WATER RIGHT NO. 61-11974

Owner Type	Name and Address
Current Owner	TLK FARMS TERRY KETTERLING LINDA KETTERLING 475 E 16TH N ST MT HOME, ID 83647 (208) 587-9855
Original Owner	LA VONNE CORDER
Original Owner	TIMOTHY L CORDER 5325 S 14TH E MOUNTAIN HOME, ID 83647 (208)587-5871

Priority Date: 06/17/1966
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	4.24 CFS	890 AFA
Total Diversion			4.24 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWSW	Sec. 11	Township 04S	Range 05E	ELMORE County

IRRIGATION Use:
Acre Limit: 212

Place(s) of use:

Place of Use Legal Description: IRRIGATION ELMORE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04S	05E	10		NENE	20		SENE	40						
				NESE	39		SESE	39						
		11		NWNW	25		SWNW	39						
				NWSW	38		SWSW	39						
		14		NWNW	39		SWNW	39						
				NWSW	16									

Total Acres: 373

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 212 acres within the place of use described above in a single irrigation season.
2.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3.	X63	All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Dates:
Licensed Date:
Decreed Date: 10/26/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 4.2
Civil Case Number:
Old Case Number:
Decree Plantiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SCALE: 2 inches equals 1 mile. Draw plan in ink.

Page _____ of _____ Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1.

New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
Stock/comm.	2.82/502	AS NEEDED	1/1 to 12/31
			to

2. Quantity and quality of return flows and location of discharge:

Water will be ponded and land applied as needed for Neutriant Management Plan.

3. Describe the effects on other water uses resulting from the proposed change:

NONE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Linda Kreuter
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of November, 2008.

Chris Akola
(Notary Public)

My commission expires 5-21-2011

CHRIS AKOLA NOTARY PUBLIC STATE OF IDAHO

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date Dec. 11 08 Protest filed by _____

Prelim. check by _____ Fee $330.00 _____

Receipted by _____ Date Dec. 11 08 4037089

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date

Watermaster recommendation requested on _____ Recommended for [ ] Approval [ ] Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Page _____ of _____ Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
Stock/comm.	2.82/502	AS NEEDED	1/1 to 12/31
			to

2. Quantity and quality of return flows and location of discharge:

Water will be ponded and land applied as needed for Neutriant Management Plan.

3. Describe the effects on other water uses resulting from the proposed change:

NONE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Terry L. Kittenbring
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of November, 2008.

Chris Abola
(Notary Public)

CHRIS ABOLA NOTARY PUBLIC STATE OF IDAHO

My commission expires 5.21.2011

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date Dec 11, 08 Protest filed by _____

Prelim. check by _____ Fee 330.00 * _____

Receipted by _____ Date Dec. 11 08 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date

Watermaster recommendation requested on _____ Recommended for [ ] Approval [ ] Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

* W037089

TLK Farms Transfers

1. Right 61-11974 - 4.24 cfs 212 ac/yr 890

2. Problem - Dry up 71 ac for dairy expansion = 33.5% of ppu

290 Existing Dairy

3 71 ac @ .02 = 1.42 cfs -124.9 ac/yr - ~~534.6~~ 298.6 AFA (252.8 AF for dairy

330 New Dairy

Dry up 141 ac for new dairy = 66.5% of ppu

= 2.82 cfs - 248.1 ac/yr - 59~~2.8~~ 1.9 AFA (502 AF for dairy

Pam.
Here is the
wrk sheet
J. in Stanton
used.

New

Dairy Water Use Requirements

Date 10/16/2008

AGTEC

Owner/Operator Info

Name: Terry Ketterling Address: 0 Telephone: 0

County: 0 City: 0 State: 0 Zip Code: 0

Facility Info

Name: Barn # 4 Address: 0 Telephone: 0

County: 0 City: Mountain Home State: Idaho Zip Code: 0

Dairy Stock Water Requirements

Animal Type	# of Animals	Animal Weight (lbs)	Animal Units	Drinking Requirement (gal/hd/day)	Drinking Requirement (gal/day)	Total Drinking (acft/yr)	Reference
Lactating cow 14	6,500	1,400	9,100.0	43.0	279,500	313.08	Estimated from well meter readings
none	0	0	0.0	0.0	0	0.00	N/A
Dry Cow 14	2,000	1,400	2,800.0	14.0	28,000	31.36	Penn State University
none	0	0	0.0	0.0	0	0.00	N/A
NO	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
Totals	8,500		11,900.0		307,500	344.44	

Stock water requirement in acre ft/ year **344.4**

Stock water pumping diversion in cfs **0.48**

Wash Water Sizing

	Barn 1	Barn 2	Barn 3		Barn 1 Breakdown below
# Cows milked	6,500	0	0		
Stantions/side	60	0	0		
Strings/milking	108	0	0		
Milkings per Day	2	0	0	milkings/day	
Cow Prep.	2,600 ✓	0	0	gal/day	2 milkings/day 0.2 gal/cow/milking
Bulk Tank	3,600	0	0	gal/day	
Pipelines	1,200 ✓	0	0	gal/day	4 cycles/wash 150 gallons/cycle
Claw Back flush	26,000	0	0	gal/day	0.5 gal/cycle 4 cycles/wash
Parlor Hand Washdown	1,800 ✓	0	0	gal/day	30 gal/min 30 min/milking
Deck Sprays	43,333 43,400	0	0	gal/day	600 gal/min 20 runtime sec 217 cycles/day
Deck Flush	15,000 ✓	0	0	gal/day	2500 gal/min 1 min/cycle 6 cycles/day
Holding Pen Flush	34,998 ✓	0	0	gal/day	5833 gal/min 1 min/cycle 6 cycles/day
Holding Pen Hand Washdown	1,500 ✓	0	0	gal/day	30 gal/min 25 min/milking
Sprinkler Pen Water Use	0	0	0	gal/day	0 heads 5 gpm/head 10 min/pen 100 % use
Milk Room Cleaning	500	0	0	gal/day	
Water Trough Cleaning	1026	0	0	gal/day	39 # of troughs 200 gal/trough 4 #/month
Miscellaneous	3000	0	0	gal/day	0
	133,531	**0**	**0**	**Total Parlor gal/day**	

Yearly Parlor Wash Volume	48,738,937	Gallons/year	
Yearly Parlor Wash Volume	**149.58**	**Acre Ft/year**	
Commercial Diversion Rate	**0.207**	**CFS**	

Notes

0

Recyclable Water Use	**Barn 1**	**Barn 2**	**Barn 3**	
Milking Parlor Throughput	660	0	0	Cows/hr
Time Milking Per Day	19.7	0.0	0	hours/day
Plate Cooler Water Use	-	-	-	Gal/day
Water Cooled Compressor	-	-	-	Gal/day
Water Cooled Vacuum Pump	-	-	-	Gal/day
	-	-	-	Total Cooling Parlor Volume/day in gallons

Water Use Evaluation

Clean Water Use	0	Gal/day
Cow Drinking water use	307500	Gal/day
Commercial Parlor Use	133531	Gal/day
Net Excess Cooling Water	0	Gal/day
Yearly Parlor Cooling Volume (amount exceeding that recycled)	0.0	Acre Ft/year

Total Facility Water Use Requirements

Stock water Requirement	344.4	Acre Ft/yr	**Gallons per day per animal unit**
Commercial Parlor Use	149.6	Acre Ft/yr	#N/A gal/au/day
Additional Cooling Use	0.0	Acre Ft/yr	
Total Water Use Estimate	**494.0**	**Acre Ft/yr**	
Total Diversion Rate	**0.68**	**Cubic Feet/Second (CFS)**	**306.3 GPM**

(this diversion rate is the minimum rate required to pump the above water use estimate 24/7/365)

Existing Water Rights	Diversion rate cfs	Volume gal/day	acre/ft/year
	total		**0.0**

References:

Cattle drinking requirements were calculated using published information from industry accepted sources or from table data. Typically the highest use estimate is reported with the cooresponding source of information. In some cases the designer will override the source values. In those cases an overridden value may include an explaination for the override.

The following sources were evaluated for the milking and dry cow herds.

Fresh Water Needs for Dairy Farms, Dean Faulk U of I Extension Specialist

Water Intake and Quality for Dairy Cattle, Richard S. Adams & William E. Sharpe, Department of Dairy and Animal Science, Pensylvania State University

Modified Kertz Equation, A.F. Kertz, Ralston Purina Company

Water Partitioning and Intake Prediction in Dry and Lactating Holstein Cows, J. B. Holter & W.E. Urban Jr., Journal of Dairy Science 1992

The following sources were evaluated for animals other than milking and dry cows.

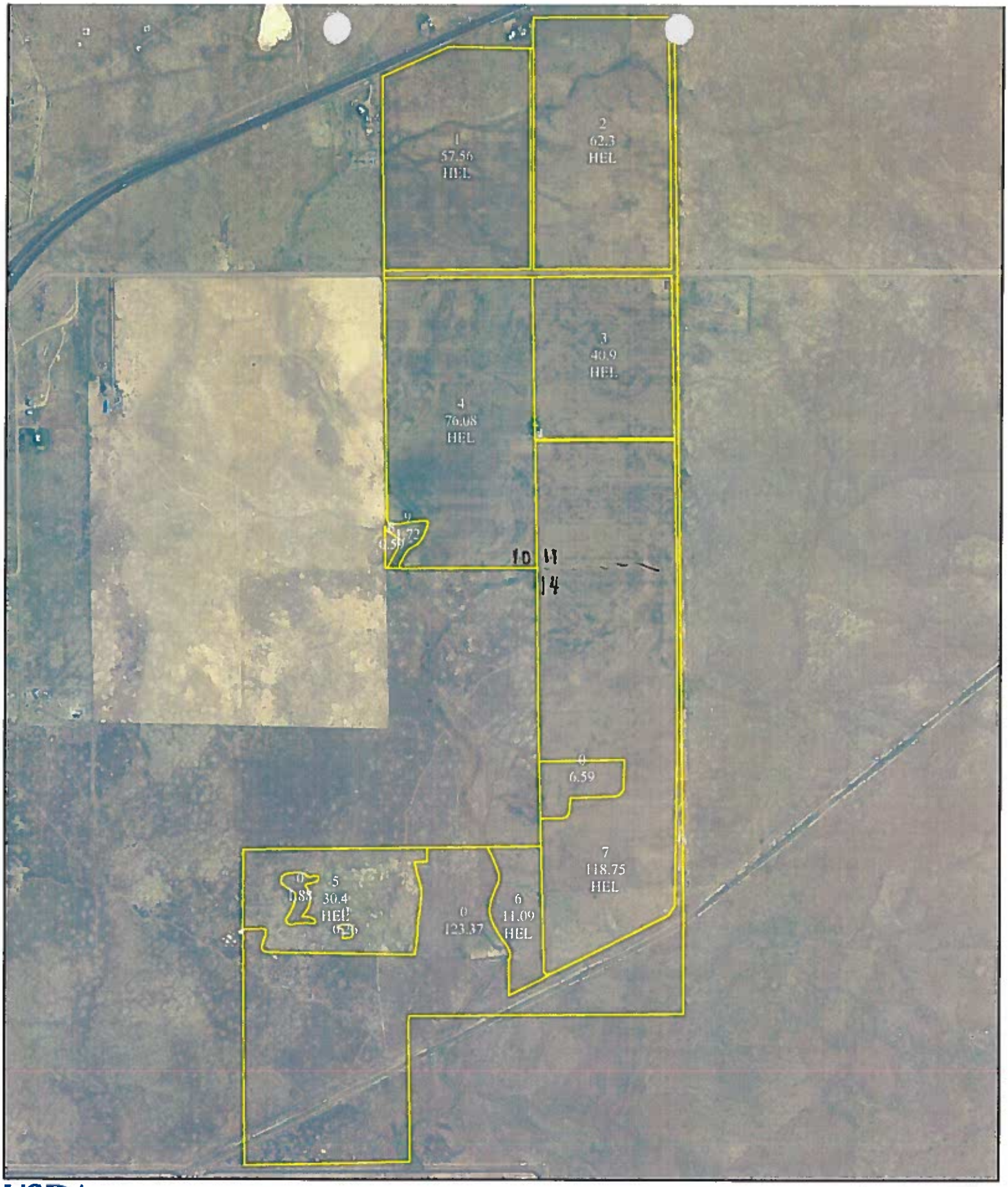
Fresh Water Needs for Dairy Farms, Dean Faulk U of I Extension Specialist

Water Intake and Quality for Dairy Cattle, Richard S. Adams & William E. Sharpe, Department of Dairy and Animal Science, Pensylvania State University

Water Requirements of Livestock, Daniel Ward & Kevin McKague, Minstry of Agriculture Food & Rural Affairs, May 2007

34
35

04S06E34
04S06E35
05S06E2
05S06E1
05S06E12



USDA United States Department of Agriculture
Farm Service Agency
Elmore County

Land Water from

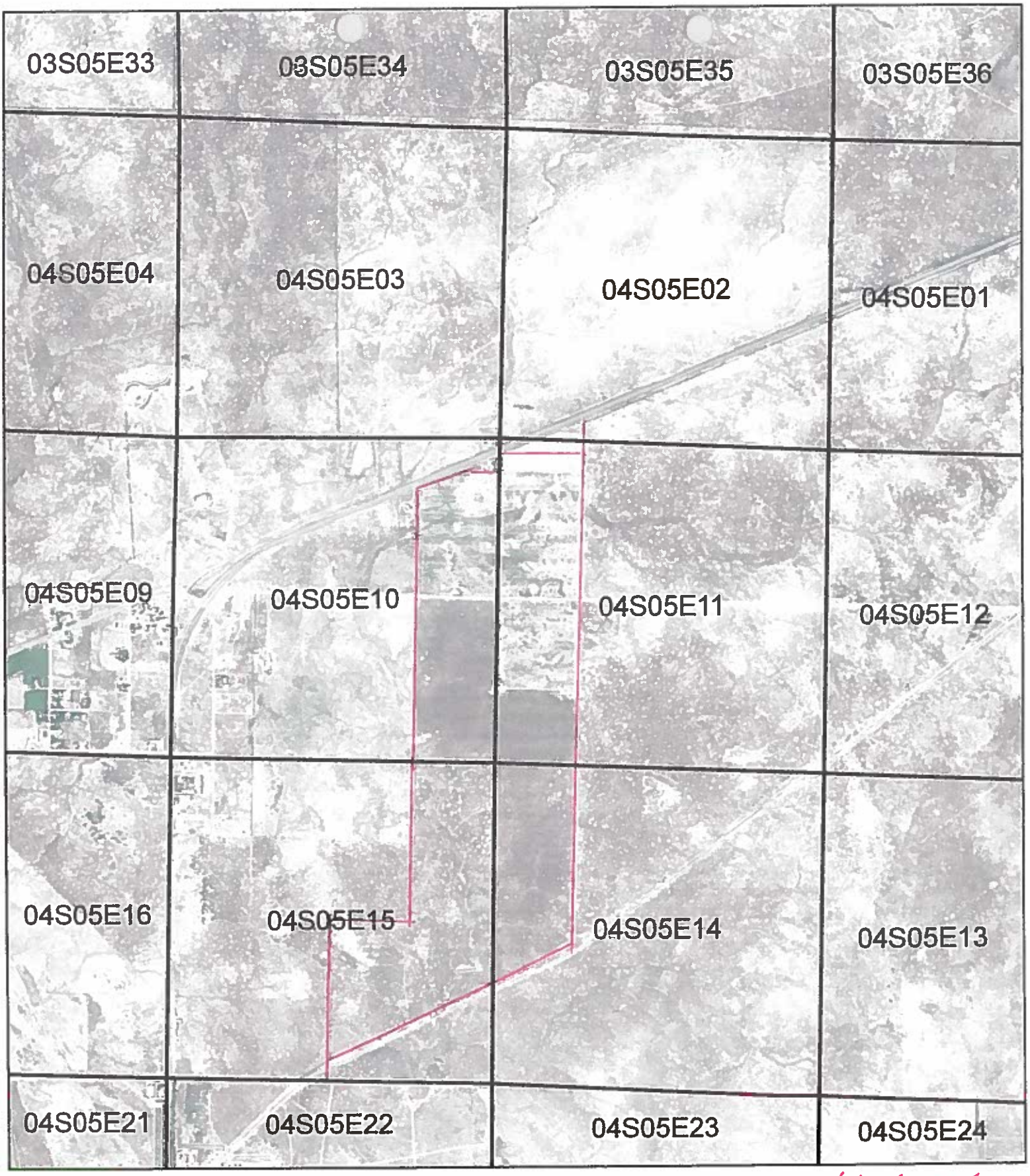
Farm # 389

June 17, 2008

N

15 Aug 08 R.

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



Terry Ketterling IDWR Map

Water from this land

0 1,000 2,000 Feet

ET*Idaho* --- Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho

Please send suggestions for improving this site to robison at kimberly dot uidaho dot edu *Copyright 2007, University of Idaho.*

Grand View (AgriMet --GDVI)

Statistics based on 12 years between 1994 to 2005

For a different land cover or crop click on the above link.
You can highlight this table and copy via the clipboard to a Mircosoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Alfalfa - frequent cuttings

Actual Evapotranspiration (Click here for a graph)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season[a]	Annual
Mean	mm/day												mm	
Monthly[b]	0.51	0.58	1.41	3.97	4.85	6.53	6.93	5.62	3.73	2.43	0.57	0.45	1084	1148
15-Day Moving Average[c]	0.51	0.62	1.31	4.01	4.94	6.88	7.36	5.81	3.63	2.40	0.57	0.46	3.56 afa.	
7-Day Moving Average[d]	0.51	0.60	1.34	3.99	4.90	6.77	7.16	5.68	3.65	2.41	0.56	0.44		
3-Day Moving Average[e]	0.51	0.59	1.39	3.98	4.86	6.62	6.97	5.62	3.70	2.42	0.56	0.44		
Standard Deviation	mm/day												mm	
Monthly	0.33	0.20	0.85	0.84	1.78	1.36	1.89	1.63	0.80	0.90	0.42	0.35	205	208
15-Day Moving Average	0.29	0.25	0.81	0.87	1.47	1.68	1.79	1.48	1.02	0.94	0.49	0.28		
7-Day Moving Average	0.33	0.35	0.99	1.16	1.80	1.94	2.15	1.76	1.19	1.16	0.59	0.37		
3-Day Moving Average	0.41	0.46	1.15	1.43	2.02	2.23	2.46	1.96	1.40	1.31	0.65	0.46		
20% Exceedance	mm/day												mm	
Monthly	0.65	0.73	1.68	4.25	5.56	7.26	7.79	6.09	4.04	2.98	0.73	0.49	1186	1250
15-Day Moving Average	0.92	0.97	2.73	5.24	6.70	8.68	8.52	7.30	4.46	3.60	1.05	0.88		
7-Day Moving Average	1.18	1.40	3.05	6.41	7.78	9.17	9.72	7.66	5.26	4.26	1.29	0.94		
3-Day Moving Average	1.63	1.68	3.61	6.81	8.29	9.80	10.79	8.46	6.30	4.79	1.69	1.46		
80% Exceedance	mm/day												mm	

Monthly	0.18	0.33	0.81	3.33	3.60	5.76	6.17	5.02	3.28	1.94	0.17	0.17	1010	1076
15-Day Moving Average	0.09	0.25	0.22	2.00	3.18	4.18	5.01	3.21	2.01	0.82	0.08	0.04		
7-Day Moving Average	0.03	0.12	0.20	1.69	2.20	2.86	3.33	1.85	1.80	0.56	0.04	0.01		
3-Day Moving Average	0.02	0.04	0.08	1.34	1.53	1.45	2.08	1.24	1.36	0.12	0.02	0.01		
Ave Highest ET	mm/day												--	
15-Day Moving Average[f]	0.70	0.76	2.10	4.68	5.85	7.76	8.36	6.71	4.25	3.31	0.83	0.67		
7-Day Moving Average[g]	0.89	1.09	2.77	5.59	6.96	8.50	9.02	7.28	4.99	3.89	1.08	0.93		
3-Day Moving Average[h]	1.24	1.40	3.38	6.41	7.86	9.29	9.98	8.04	5.93	4.54	1.52	1.40		
Ave Lowest ET	mm/day												--	
15-Day Moving Average[f]	0.35	0.44	0.73	3.35	3.97	5.67	5.91	4.58	2.94	1.55	0.30	0.24		
7-Day Moving Average[g]	0.19	0.22	0.48	2.79	3.03	4.55	4.03	3.37	2.39	1.17	0.14	0.13		
3-Day Moving Average[h]	0.10	0.11	0.31	2.22	2.20	2.90	2.76	2.52	1.92	0.91	0.07	0.06		
Special normal distribution parameters for monthly, seasonal, and annual intervals													--	
Skew	-0.10	0.13	0.09	-1.05	-0.11	-1.55	-0.78	-0.74	-0.87	-0.39	1.50	0.26	-2.78	-2.89
Kurtosis	0.55	2.21	0.68	5.01	0.90	6.24	1.99	1.93	4.57	1.17	5.89	0.65	9.90	10.28

[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] Mean of the average daily value for month

[c] Mean of the fourteen 15-day period averages contained in the month

[d] Mean of the twenty three 7-day period averages contained in the month

[e] Mean of the twenty seven 3-day period averages contained in the month

[f] Mean of the highest/lowest 15-day period average in month

[g] Mean of the highest/lowest 7-day period average in month

[h] Mean of the highest/lowest 3-day period average in month

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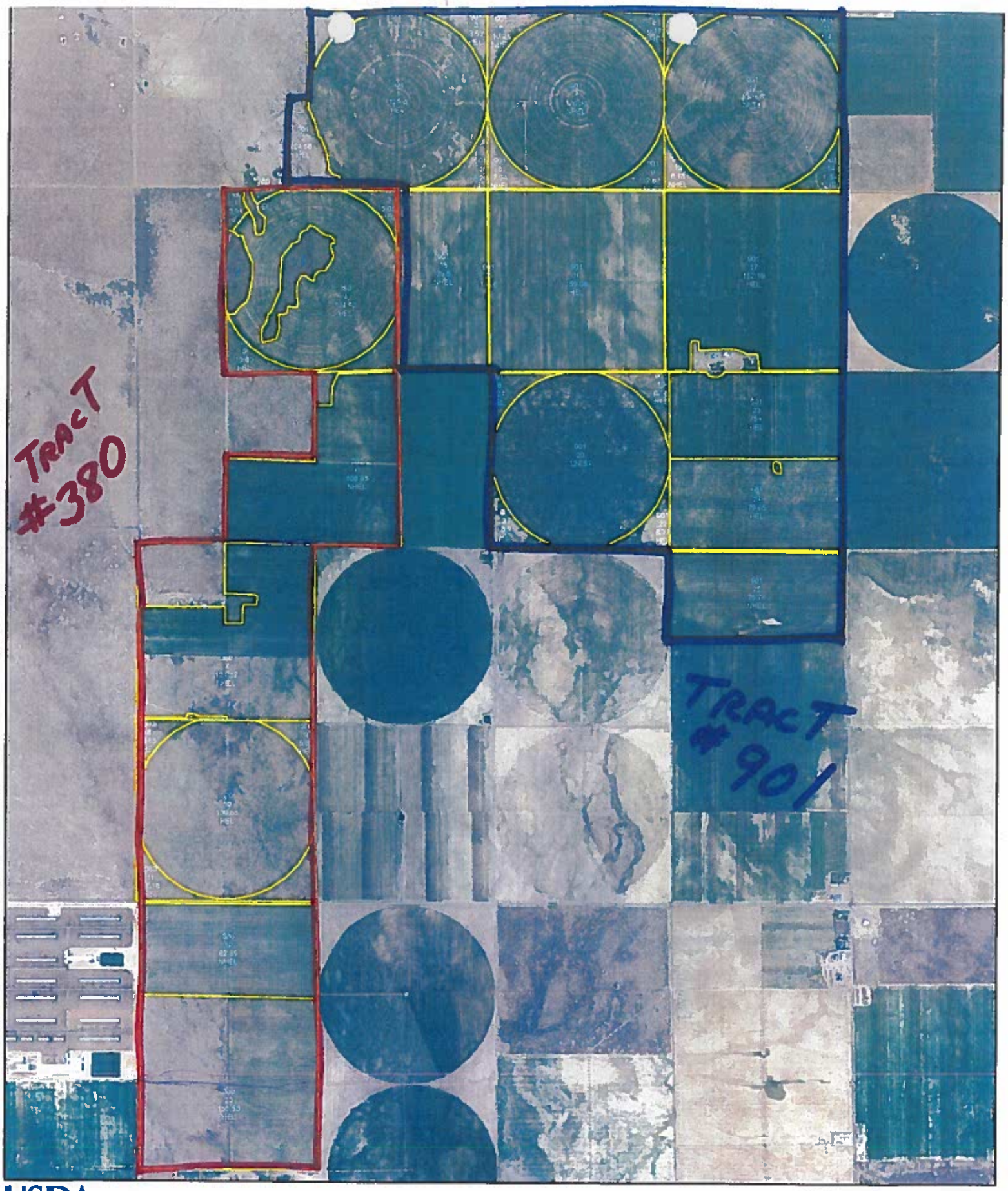
This work and report were prepared by the University of Idaho Research and Extension Center at Kimberly, Idaho under contract with the Idaho Department of Water Resources. Work was supported by funding from IDWR and the Idaho Agricultural Experiment Station and Idaho Engineering Experiment Station. The 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, 2006 (Revised 2007). **Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho**, 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



USDA United States Department of Agriculture
Farm Service Agency
Elmore County

Farm #[redacted]
Tract # 380 & 901
October 03, 2008

N

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

FARM NUMBER: 389

REPORT OF COMMODITIES
FARM AND TRACT DETAIL LISTING

PROGRAM YEAR 2005
DATE: 10-06-2008

Operator Name and Address ID

TLK FARMS INC 8973
475 E 16TH N
MOUNTAIN HOME, ID 83647-1716

Original:
Revision:
Cropland: 397.2
Farmland: 480.0

Tract Number	CLU/ Field	Irr Prc	C/C	Var/ Type	Int Use	Lnd Use	Rpt Unt	Reported Quantity	Determined Quantity	Crp Lnd	O/ M	C/C Stat	Prod Share	Prod ID	RMA Unt	Opt Unt
410	1	Ir	ALFAL		Forage		A	57.60		Y		I	1.0000	8973		
	2	Ir	ALFAL		Forage		A	62.30		Y		I	1.0000	8973		
	3	Ir	ALFAL		Forage		A	40.90		Y		I	1.0000	8973		
	4	Ir	ALFAL		Forage		A	76.10		Y		I	1.0000	8973		
	5	Ir	ALFAL		Forage		A	30.40		Y		I	1.0000	8973		
	6	Ir	ALFAL		Forage		A	11.10		Y		I	1.0000	8973		
	7	Ir	ALFAL		Forage		A	118.80		Y		I	1.0000	8973		

C/C	Type	Prac	IU	Non-Irrig	Irrigated
ALFAL	I	FG			397.20

Photo Number/Legal Description: 020 R5E T4S SEC 10,11,14,15

Cropland: 397.2 Reported on Cropland: 397.20 Difference: .00 Reported on Non-Cropland: .00

FARM NUMBER: 389

REPORT OF COMMODITIES

FARM SUMMARY

PROGRAM YEAR 2005

DATE: 10-06-2008

Operator Name and Address ID

TLK FARMS INC 8973
475 E 16TH N
MOUNTAIN HOME, ID 83647-1716

Original:

Revision:

Cropland: 397.2

Farmland: 480.0

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

Producer Name	ID	C/C	Share
TLK FARMS INC	8973	ALFAL	1.0000

Crop Type	Prac	IU	Reported	Determined
ALFAL	I	FG	397.20	

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature

Date

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

FSA-578 (02-01-91) REPORT OF COMMODITIES PROGRAM YEAR 2005

FARM NUMBER: [redacted] FARM AND TRACT DETAIL LISTING DATE: 10-03-2008

Operator Name and Address [redacted]

Original: _____

Revision: _____

Cropland: [redacted]

Farmland: [redacted]

Tract Number	CLU/ Field	Irr Prc	C/C	Var/ Type	Int Use	Lnd Use	Rpt Unt	Reported Quantity	Determined Quantity	Crp Lnd	O/ M	C/C Stat	Prod Share	Prod ID	RMA Unt	Opt Unt
[redacted]																
380	1	Ni	FALOW				A	24.30		Y		I	.5000	4218		
													.5000	2319		
	2	Ir	SBEET		Proces		A	18.10		Y		I	.2500	4218		
													.3750	8049		
													.3750	4059		
	3	Ir	SBEET		Proces		A	20.40		Y		I	.2500	4218		
													.3750	8049		
													.3750	4059		
	5	Ir	SBEET		Proces		A	23.30		Y		I	.2500	4218		
													.3750	8049		
													.3750	4059		
	6	Ir	SBEET		Proces		A	56.50		Y		I	.2500	4218		
													.3750	8049		
													.3750	4059		
	7	Ni	FALOW				A	156.10		Y		I	.5000	4218		
													.5000	2319		
	8	Ir	ALFAL		Forage		A	76.40		Y		I	.5000	4218		
													.5000	2319		
	11	Ir	ALFAL		Forage		A	8.20		Y		I	.3333	4218		
													.6667	2319		
	12	Ir	ALFAL		Forage		A	6.40		Y		I	.3333	4218		
													.6667	2319		
	13	Ir	ALFAL		Forage		A	129.50		Y		I	.3333	4218		
													.6667	2319		
	14	Ir	ALFAL		Forage		A	7.20		Y		I	.3333	4218		
													.6667	2319		
	15	Ir	ALFAL		Forage		A	6.50		Y		I	.3333	4218		

ELMORE, IDAHO

FSA-578 (02-01-91) REPORT OF COMMODITIES PROGRAM YEAR 2005

FARM NUMBER: [redacted] FARM AND TRACT DETAIL LISTING DATE: 10-03-2008

Tract Number	CLU/ Field	Irr Prc	C/C	Var/ Type	Int Use	Lnd Use	Rpt Unt	Reported Quantity	Determined Quantity	Crp Lnd	O/ M	C/C Stat	Prod Share	Prod ID	RMA Unt	Opt Unt
380	15	N/A	ALFAL	(continued)									.6667	2319		
	9A	Ir	ALFAL		Forage		A	80.00		Y		I	.3333	4218		
													.6667	2319		
	9B	Ir	ALFAL		Forage		A	81.90		Y		I	.5000	4218		
													.5000	2319		
	10A	Ir	SBEET		Proces		A	13.80		Y		I	.2500	4218		
													.3750	8049		
													.3750	4059		
	10B	Ir	SBEET		Proces		A	100.00		Y		I	.3750	8420		
													.2500	4218		
													.3750	6681		

C/C	Type	Prac	IU	Non-Irrig	Irrigated	C/C	Type	Prac	IU	Non-Irrig	Irrigated	C/C	Type	Prac	IU	Non-Irrig	Irrigated
ALFAL		I	FG		396.10	FALOW		N		180.40		SBEET		I	PR		232.10

Photo Number/Legal Description: S21,S22 R6E T4S SEC 26,25 R6E T5S SEC 2

Cropland: 808.6 Reported on Cropland: 808.60 Difference: .00 Reported on Non-Cropland: .00

FSA-578 (02-01-91) REPORT OF COMMODITIES PROGRAM YEAR 2005

FARM NUMBER: [redacted] FARM AND TRACT DETAIL LISTING DATE: 10-03-2008

Tract Number	CLU/ Field	Irr Prc	C/C	Var/ Type	Int Use	Lnd Use	Rpt Unt	Reported Quantity	Determined Quantity	Crp Lnd	O/ M	C/C Stat	Prod Share	Prod ID	RMA Unt	Opt Unt
[redacted]																
901	1	Ir	ALFAL		Forage		A	127.50		Y		I	.3333	4218		
													.6667	2319		
	2	Ir	ALFAL		Forage		A	10.20		Y		I	.3333	4218		
													.6667	2319		
	3	Ir	ALFAL		Forage		A	6.20		Y		I	.3333	4218		
													.6667	2319		
	4	Ir	ALFAL		Forage		A	9.50		Y		I	.3333	4218		
													.6667	2319		
	5	Ir	ALFAL		Forage		A	9.60		Y		I	.3333	4218		
													.6667	2319		
	6	Ir	ALFAL		Forage		A	9.40		Y		I	.3333	4218		
													.6667	2319		
	7	Ir	ALFAL		Forage		A	122.00		Y		I	.3333	4218		
													.6667	2319		
	8	Ir	ALFAL		Forage		A	9.30		Y		I	.3333	4218		
													.6667	2319		
	9	Ir	WHEAT	SWW	Grain		A	82.60		Y		I	.5000	4218		
													.5000	2319		
	10	Ir	WHEAT	SWW	Grain		A	160.30		Y		I	.5000	4218		
													.5000	2319		
	11	Ir	ALFAL		Forage		A	156.30		Y		I	.3333	4218		

Tract Number	CLU/ Field	Irr Prc	C/C	Var/ Type	Int Use	Lnd Use	Rpt Unt	Reported Quantity	Determined Quantity	Crp Lnd	O/ M	C/C Stat	Prod Share	Prod ID	RMA Unt	Opt Unt
901	11	N/A	ALFAL	(continued)									.6667	2319		
	12	Ir	OATS	SPR	Forage		A	8.20		Y		I	.3333 .6667	4218 2319		
	12	Ir	ALFAL		Forage		A	8.20		Y		P	.3333 .6667	4218 2319		
	13	Ir	OATS	SPR	Forage		A	8.60		Y		I	.3333 .6667	4218 2319		
	13	Ir	ALFAL		Forage		A	8.60		Y		P	.3333 .6667	4218 2319		
	14	Ir	ALFAL		Forage		A	76.60		Y		I	.3333 .6667	4218 2319		
	15	Ir	OATS	SPR	Forage		A	8.90		Y		I	.3333 .6667	4218 2319		
	15	Ir	ALFAL		Forage		A	8.90		Y		P	.3333 .6667	4218 2319		
	16	Ir	OATS	SPR	Forage		A	124.50		Y		I	.3333 .6667	4218 2319		
	16	Ir	ALFAL		Forage		A	124.50		Y		P	.3333 .6667	4218 2319		
	17	Ir	OATS	SPR	Forage		A	8.80		Y		I	.3333 .6667	4218 2319		
	17	Ir	ALFAL		Forage		A	8.80		Y		P	.3333 .6667	4218 2319		
	18	Ir	PTATO	RUS	Proces	F FAV	A	80.10		Y		I	.2500 .7500	4218 4174		
	19	Ir	PTATO	RUS	Proces	F FAV	A	75.30		Y		I	.2500 .7500	4218 4174		
	20	Ni	FALOW				A	7.90		Y		I	.5000 .5000	4218 2319		
	21	Ir	ALFAL		Forage		A	126.40		Y		I	.3333 .6667	4218 2319		
	22	Ni	FALOW				A	7.70		Y		I	.5000 .5000	4218 2319		
	23	Ir	ALFAL		Forage		A	31.80		Y		I	.3333 .6667	4218 2319		

C/C	Type	Prac	IU	Non-Irrig	Irrigated	C/C	Type	Prac	IU	Non-Irrig	Irrigated	C/C	Type	Prac	IU	Non-Irrig	Irrigated
ALFAL		I	FG		853.80	FALOW		N		15.60		OATS	SPR	I	FG		159.00
PTATO	RUS	I	PR		155.40	WHEAT	SWW	I	GR		242.90						

Photo Number/Legal Description: S21,S22 T2S R6E SEC 23-26, 36

Cropland: 1,267.7 Reported on Cropland: 1,267.70 Difference: .00 Reported on Non-Cropland: .00

[redacted]

Commodity Report 039 MORE Disp MEAU8001
Tract Summary Screen Version: AF82 10/03/2008 14:38 Term WF

Farm Number [redacted] Identifier
Operator Name 2005 Operator ID [redacted]
Cropland

380 Tract Summary

Crop/ Comm	Type	Irr Prac	Int Use	Rpt Unit	Quantities Reported	Determined	Experiment	Prevented
ALFAL		**I**	**FG**	**A**	**396.10**			
FALOW		**N**		**A**	**180.40**			
SBEET		**I**	**PR**	**A**	**232.10**			

Next Tract [redacted]
(N)ext Farm,
Cmd7=End Cmd3=Previous Enter=Continue, (R)eview Fields

Commodity Report 039-[illegible]MORE Displ[illegible] MEAU8001
Tract Summary Screen Version: AF82 10/06/2008 11:02 Term WF

Farm Number [redacted] Identifier
Operator Name [redacted] 2005 Operator ID [redacted]
Cropland

901 Tract Summary

Crop/ Comm	Type	Irr Prac	Int Use	Rpt Unit	Quantities Reported	Determined	Experiment	Prevented
ALFAL		**I**	**FG**	**A**	**853.80**			
FALOW		**N**		**A**	**15.60**			
OATS	**SPR**	**I**	**FG**	**A**	**159.00**			
PTATO	**RUS**	**I**	**PR**	**A**	**155.40**			
WHEAT	**SWW**	**I**	**GR**	**A**	**242.90**			

Next Tract ... [redacted]
(N)ext Farm,
Cmd7=End Cmd3=Previous Enter=Continue, (R)eview Fields ..

WARRANTY DEED

FOR VALUE RECEIVED
Timothy L. Corder and LaVonne Corder, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
TLK Farms by Terry L. Ketterling and Linda Ketterling, husband and wife

GRANTEE(S), whose current address is: 475 East 16th North St Mountain Home, Id 83647
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

(See Attached)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever. , except those of record.

Dated: February 5, 2002

Timothy L. Corder

Timothy L. Corder

LaVonne Corder

LaVonne Corder

STATE OF Idaho, County of Elmore, ss.
On the 5th day of February in the year of 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Timothy L. Corder, LaVonne Corder
known or identified to me to be the person(s) whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.
Signature: Sheryl A Reyment
Sheryl A Reyment
Mountain Home
My Commission expires: 12/27/05

SHERYL A. REYMENT NOTARY

Instrument # 334235
Elmore County, Idaho
04:30pm Feb.05,2002
For: GUARANTY TITLE INC
No. of Pages: 3 Fee: $9.00
GAIL L. BEST, Recorder
Deputy: JC

MICROFILMED
SEP 19 2002

ATTACHMENT FI

CASE NO : 02-094

LEGAL DESCRIPTION

Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 10: NE1/4NE1/4 lying southerly of the right of way for Highway 67;
E1/2SE1/4, SE1/4NE1/4

Section 11: NW1/4NW1/4, SW1/4NW1/4 lying southerly of the right of way for
Highway 67;
W1/2SW1/4

Section 14: W1/2NW1/4, NW1/4SW1/4

Section 15: W1/2SE1/4, NE1/4SE1/4

EXCEPTING THEREFROM THE FOLLOWING THREE PARCELS:

PARCEL I

A tract of land situated in the Northeast Quarter of the Northeast Quarter of Section 10, Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho, described as follows:
Commencing at the Northeast corner of said Section 10, a set stone; thence
South 0°07'18" East along the East section line of said Section 10, 331.54 feet to a steel pin which is a point on the South right of way line of Idaho State Highway 67 and the REAL POINT OF BEGINNING; thence continue
South 0°07'18" East along the East Section line 251.00 feet to a steel pin; thence
North 89°36'18" West 305.80 feet to a steel pin; thence
North 15°02'18" West 108.65 feet to a steel pin which is set on the South right of way line of Idaho State Highway 67; thence
North 66°38'57" East along the Highway right of way line 363.20 feet to a steel pin which is the REAL POINT OF BEGINNING.

(See Attached)

MICROFILMED
SEP 1 9 2002

F2

LEGAL DESCRIPTION

MICROFILMED
SEP 1 9 2002

PARCEL II:

A tract of land situated in the Northwest Quarter of the Northwest Quarter of Section 11, Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho, described as follows:
Commencing at the Northwest corner of said Section 11 which is a set stone and the REAL POINT OF BEGINNING; thence
South 89°33'38" East along the North Section line of said Section 11, 1,321.81 feet to a point which is a steel pin and the 1/16th corner; thence
South 0°07'00" East along the 1/16th line 325.18 feet to a steel pin; thence
South 87°06'42" West along the fence line 1,323.26 feet to a steel pin set on the West Section line of said Section 11; thence
North 0°07'18" West along the Section line 402.00 feet to the set stone which is the Northwest corner of Section 11 and the REAL POINT OF BEGINNING.

PARCEL III:

A 30 feet wide strip of land in the Northwest 1/4 of the Northwest 1/4 of Section 11, Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho, described as follows:
Commencing at the Northwest corner of said Section 11 (a set stone), thence
South 0°07'18" East along the Section line 402.00 feet to the REAL POINT OF BEGINNING, thence continue
South 0°07'18" East along the Section 180.54 feet to a point, thence
South 89°36'18" East to a point 30 feet East of the Section Line, thence parallel to the Section line
North 0°07'18" West 182.26 feet to a point, thence
South 87°06'42" West 30.03 feet to THE REAL POINT OF BEGINNING.

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Meeham, Inc.

, a corporation

organized and existing under the laws of the State of Idaho, with its principal office at 2157 East 1010 South Mountain Home, Id of County of Elmore , State of Idaho,

GRANTOR, hereby GRANT, BARGAIN, SELL and CONVEY unto

Terry L. Ketterling and Linda K. Ketterling, husband and wife

GRANTEE

whose current address is: 475 East 16th North St Mountain Home, Id 83647

the following described real property located in Elmore County, State of Idaho, more particularly described as follows, to wit:

(See Attached)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this 7th day of March , in the year of 96

(CORPORATE SEAL)

Meeham, Inc.
(CORPORATE NAME)

By Blaine Meeham
PRESIDENT

Attest: Kay Meeham
SECRETARY

MICROFILMED

SEP 19 2002

ACKNOWLEDGEMENT — Corporate

STATE OF Idaho County of Elmore ss.

On this 7th day of March

ATTACHMENT B1

in the year of 1996

Public in and for said State, personally appeared

Blaine Richard L. Richards

known or identified to me to be the President or other officer of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public

Residing at

My commission expires

MICROFILMED
SEP 19 2002

CASE NO.: 96-143

LEGAL DESCRIPTION

Tract I:

Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho

Beginning at the Northeast Corner of Section 3, Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho, said point is the REAL POINT OF BEGINNING; thence
South 0°32'39" West 5,298.78 feet along the Section line, to the Southeast corner of Section 3; thence
South 0°37'52" East 5,105.58 feet along the Section line; thence to a point of curve with a Delta of 1°18'04" and an R of 4,403.42 feet and an L of 100.00 feet and a C of 100.00 feet and a T of 50.00 feet; thence
South 89°08'40" West 2,562.28 feet; thence
North 0°08'22" West 5,198.07 feet to the South Quarter Corner of Section 3; thence
North 0°13'18" East 5,281.39 feet to the North Quarter Corner of Section 3; thence
South 89°12'00" East, 2,648.55 feet along the Section line to the REAL POINT OF BEGINNING.

Tract II:

Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho

Section 2: Lots 1 and 2, S1/2NE1/4, S1/2SW1/4 and SE1/4

Section 11: NW1/4NE1/4, NW1/4, N1/2SW1/4, N1/2SE1/4SW1/4

(See Attached)

MICROFILMED

SEP 19 2002

CASE NO.: 96-143

LEGAL DESCRIPTION

Tract III:

Beginning at the West 1/4 corner of Section 3, Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho, said point is the Real Point of Beginning; thence
South 89°18'48" East 2,651.27 feet; thence
South 0°13'18" West 2,633.64 feet to the South 1/4 corner of said Section 3; thence
South 0°08'22" East, 5,198.07 feet; thence
South 89°08'40" West 2,663.52 feet; thence
North 0°20'54" East 5,292.09 feet along the Section line to the SW corner of said Section 3: thence
North 0°29'36" West 2,611.33 feet along the Section line to the REAL POINT OF BEGINNING.

Tract IV:

Part of the South half of the Southwest quarter of Section 11, Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Beginning at the Southwest corner of Section 11; thence
North 0°37'52" West 174.02 feet along the Westerly boundary of Section 11, to the center line of a county road, the TRUE POINT OF BEGINNING; thence
North 0°37'52" West 1145.88 feet along the Westerly boundary of Section 11 to the Northwest corner of the Southwest quarter of the Southwest quarter; thence
South 89°40'03" East 1331.51 feet along the Northerly boundary of the Southwest quarter of the Southwest quarter to the Northeast corner of the Southwest quarter of the Southwest quarter; thence
South 0°36'11" East 659.57 feet along the Westerly boundary of the Southwest quarter of the Southwest quarter; thence
South 89°41'08" East 1181.16 feet; thence
South 0°34'31" East 261.62 feet; thence
North 89°33'16" West 474.97 feet; thence
South 0°34'31" East 230.00 feet to the centerline of a county road; thence
North 89°33'16" West 2036.99 feet along said county road right of way to the TRUE POINT OF BEGINNING.

MICROFILMED
SEP 19 2002

Assignment of Water Rights

This Assignment of Water Rights is entered into this 17th day of June, 2008, between **Trekkel 12.5 acres, LLC**, an Arizona limited liability company as to an undivided 21.87% interest, **Anthony G. Bagneschi, PC 401K Plan** as to an undivided 8.60% interest, **Bryan K. Waggoner, PC 401K Plan** as to an undivided 8.60% interest, **KU Investments LLC**, a Nevada limited liability company as to an undivided 15.05% interest, **Boise 2730, LLC** as to an undivided 13.33% interest, **Anthony Bagneschi**, a married man as to an undivided 11.12% interest, **Bryan Waggoner**, a married man as to an undivided 12.72% interest, **and Ryan Kealy**, a married man as to an undivided 8.71% interest (collectively "Assignor") and **Terry L. Ketterling and Linda K. Ketterling**, husband and wife, whose address is 475 East 16th North, Mountain Home, Idaho 83647 ("Assignee").

By executing hereunder, Assignor does hereby assign its right, title, and interest in and to the following water rights:

1. Water Right 61-10770 in its entirety;
2. 65.85% of Water Rights 61-7097, 61-7262B, and 61-7299, including, but not limited to, the places of use, diversion rate (65.85% of 6.53 CFS), volume of use (65.85% of 2,226.4 AFA), and acre limit (65.85% of 556.6 acres), and the points of diversion for said water rights that are located in Section 35 of T. 4 S., R. 6 E., Boise Meridian, Elmore County Idaho.
3. Grantor conveys 531 shares of the South Elmore Irrigation Company.

ASSIGNOR:

Trekkel 12.5 acres, LLC, an Arizona limited liability company an undivided 21.87% interest

By: BRYAN WAGGONER
Its: MANAGER

Anthony G. Bagneschi, PC 401K Plan an undivided 8.60% interest

By: _____
Anthony G. Bagneschi

Bryan K. Waggoner, PC 401K Plan an undivided 8.60% interest

By: _____
Bryan K. Waggoner

KU Investments LLC, a Nevada limited liability company an undivided 15.05% interest

By: CHRIS BARR
Its: MANAGER

Boise 2730, LLC an undivided 13.33% interest

By: DAVE MOUNT
Its: MANAGER

Trekkel 12.5 acres, LLC, an Arizona limited liability company an undivided 21.87% interest

By _____

Anthony G. Bagneschi, PC 401K Plan an undivided 8.60% interest

By _____
Anthony G. Bagneschi

Bryan K. Waggoner, PC 401K Plan an undivided 8.60% interest

By _____
Bryan K. Waggoner

KU Investments LLC, a Nevada limited liability company an undivided 15.05% interest

By _____

Boise 2730, LLC an undivided 13.33% interest

By _____

Anthony Bagneschi, a married man an undivided 11.12% interest

_____
Anthony Bagneschi

_____
ANDREA Bagneschi

Bryan Waggoner, a married man an undivided 12.72% interest

_____
Bryan Waggoner

_____
AMY Waggoner

Ryan Kealy, a married man an undivided 8.71% interest

_____
Ryan Kealy

_____
DANIELLE Kealy

SELLERS,

_____
Terry L. Ketterling

_____
Linda K. Ketterling

BUYER

Anthony Bagneschi, a married man an undivided 11.12% interest

ANDREA Bagneschi, spouse of Anthony Bagneschi

Bryan Waggoner, a married man an undivided 12.72% interest

AMY Waggoner, spouse of Bryan Waggnor

Ryan Kealy, a married man an undivided 8.71% Interest

DANIELE Kealy, spouse of Ryan Kealy

When recorded, return to:

Terry L. and Linda K. Ketterling
475 E. 16th St.
Mountain Home, ID 83647

SPECIAL WARRANTY DEED

Special Warranty Deed made this 11th day of June, 2008, between **Trekkel 12.5 acres, LLC,** an Arizona limited liability company as to an undivided 21.87% interest, **Anthony G. Bagneschi, PC 401K Plan** as to an undivided 8.60% interest, **Bryan K. Waggoner, PC 401K Plan** as to an undivided 8.60% interest, **KU Investments LLC,** a Nevada limited liability company as to an undivided 15.05% interest, **Boise 2730, LLC** as to an undivided 13.33% interest, **Anthony Bagneschi,** a married man as to an undivided 11.12% interest, **Bryan Waggoner,** a married man as to an undivided 12.72% interest, **and Ryan Kealy,** a married man as to an undivided 8.71% interest (collectively "Grantor") and **Terry L. Ketterling and Linda K. Ketterling**, husband and wife, whose address is 475 East 16th North, Mountain Home, Idaho 83647 ("Grantee"), witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars and No Cents ($10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, does, by these presents, convey unto Grantee and its successors and assigns forever, all the following described real estate situated in the County of Elmore, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the rents, issues and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity, except as expressly provided otherwise herein.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and its heirs and assigns forever.

Grantor warrants that Grantor has not conveyed the same estate to any person other than Grantee and that such estate is at the time of the execution of this instrument free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor, subject to any and all easements, restrictions, agreements and encumbrances of record or appearing on the land as of the date of this instrument.

Grantor hereby assigns transfers and sets over unto Grantee all of Grantor's rights under the warranty of title in that Warranty Deed from Omerta Investments, LLC to Grantor dated April 16, 2007 and recorded April 20, 2007 as Instrument No. 386614, records of Elmore County, Idaho.

GRANTOR:

Trekkel 12.5 acres, LLC, an Arizona limited liability company an undivided 21.87% interest

By: BRYAN K WAGGONER
Its: MANAGER

Anthony G. Bagneschi, PC 401K Plan an undivided 8.60% interest

By: _____
Anthony G. Bagneschi

Bryan K. Waggoner, PC 401K Plan an undivided 8.60% interest

By: _____
Bryan K. Waggoner

KU Investments LLC, a Nevada limited liability company an undivided 15.05% interest

By: CHRIS BAKER
Its: MANAGER

Boise 2730, LLC an undivided 13.33% interest

By: DAVID MOUNT
Its: MANAGER

Anthony Bagneschi, a married man an undivided 11.12% interest

ANDREA Bagneschi, spouse of Anthony Bagneschi

Bryan Waggoner, a married man an undivided 12.72% interest

AMY Waggoner, spouse of Bryan ~~Waggnor~~ WAGGONER

Ryan Kealy, a married man an undivided 8.71% interest

DANIELLE Kealy, spouse of Ryan Kealy

STATE OF Az)
) ss.
County of Maricopa

On this 11th day of June, in the year 2008, before me, Christine A. Leitch, a Notary Public in and for said State, personally appeared **Bryan K. Waggoner**, known or identified to me (or proved to me on the oath of _____) to be the person whose name is subscribed to the within instrument as _____ of the **Bryan K. Waggoner, PC 401K Plan**, and acknowledged to me that he/she/they executed the same as such _____.

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OFFICIAL SEAL
CHRISTINE A. LEITCH
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Commission Expires July 18, 2008

Christine A. Leitch
Notary Public for Az
Residing at 4721 W Menger Ln Glendale Az
My commission expires on 7-18-08

STATE OF Az)
) ss.
County of Maricopa

On this 11th day of June, in the year 2008, before me, Christine A. Leitch, a Notary Public in and for said State, personally appeared Chris Barr, known or identified to me to be the manager or a member of **KU Investments LLC**, a Nevada limited liability company, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

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

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OFFICIAL SEAL
CHRISTINE A. LEITCH
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Commission Expires July 18, 2008

Christine A. Leitch
Notary Public for Az
Residing at 4721 W Menger Ln Glendale Az
My commission expires on 7-18-08

STATE OF AZ)
) ss.
County of Maricopa

On this 11th day of June, in the year 2008, before me, Christine A. Leitch, a Notary Public in and for said State, personally appeared Bryan Waggoner, known or identified to me to be the manager or a member of **Trekkel 12.5 acres, LLC,**, an Arizona limited liability company, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

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

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OFFICIAL SEAL
CHRISTINE A. LEITCH
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Commission Expires July 18, 2008

Christine A. Leitch
Notary Public for Az
Residing at 4721 W Mercer Ln Glendale Az
My commission expires on 7-18-08

STATE OF AZ)
) ss.
County of Maricopa

On this 11th day of June, in the year 2008, before me, Christine A. Leitch, a Notary Public in and for said State, personally appeared **Anthony G. Bagneschi,** known or identified to me (or proved to me on the oath of _____) to be the person whose name is subscribed to the within instrument as _____ of the **Anthony G. Bagneschi, PC 401K Plan** , and acknowledged to me that he/she/they executed the same as such _____.

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OFFICIAL SEAL
CHRISTINE A. LEITCH
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Commission Expires July 18, 2008

Christine A. Leitch
Notary Public for Az
Residing at 4721 W. Mercer Ln Glendale Az
My commission expires on 7-18-08

STATE OF AZ)
) ss.
County of Maricopa

On this 11th day of June, in the year 2008, before me, Christine A. Leitch, a Notary Public in and for said State, personally appeared DAVID MOUNT, known or identified to me to be the manager or a member of **Boise 2730, LLC**, a AZ limited liability company, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

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

SEAL

OFFICIAL SEAL
CHRISTINE A. LEITCH
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Commission Expires July 18, 2008

Christine A. Leitch
Notary Public for AZ
Residing at 4721 W Mercer Ln Glendale Az
My commission expires on 7-18-08

STATE OF AZ)
) ss.
County of Maricopa

On this 11th day of June, in the year 2008, before me, Christine A. Leitch, a Notary Public in and for said State, personally appeared, **Anthony G. Bagneschi and** ANDREA **Bagneschi,** known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS whereof I have set my hand and affixed my seal on the day and year in this certificate first above written.

SEAL

OFFICIAL SEAL
CHRISTINE A. LEITCH
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Commission Expires July 18, 2008

Christine A. Leitch
Notary Public for Az
Residing at 4721 W Mercer Ln Glendale Az
My commission expires on 7-18-08

STATE OF AZ)
) ss.
County of Maricopa)

On this 11th day of June, in the year 2008, before me, Christine A. Leitch, a Notary Public in and for said State, personally appeared **Bryan Waggoner and** Amy **Waggoner**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS whereof I have set my hand and affixed my seal on the day and year in this certificate first above written.

S E A L

OFFICIAL SEAL
CHRISTINE A. LEITCH
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Commission Expires July 18, 2008

Christine A. Leitch
Notary Public for AZ
Residing at 4731 W. Mercer Ln Glendale Az
My commission expires on 7-18-08

STATE OF AZ)
) ss.
County of Maricopa)

On this 11th day of June, in the year 2008, before me, Christine A Leitch, a Notary Public in and for said State, personally appeared **Ryan Kealy and** Danielle **Kealy**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS whereof I have set my hand and affixed my seal on the day and year in this certificate first above written.

S E A L

OFFICIAL SEAL
CHRISTINE A. LEITCH
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Commission Expires July 18, 2008

Christine A. Leitch
Notary Public for AZ
Residing at 4731 W. Mercer Ln. Glendale Az
My commission expires on 7-18-08

EXHIBIT "A"

TRACT I:

A parcel of land being a portion of the SW 1/4 of Section 11, the West 1/2 of Section 14, and all of the West 1/2 of Section 23, all in Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho, being more particularly described as follows:

Commencing at the Section Corner common to Sections 10, 11, 14 and 15, T5S, R6E, B.M., thence South 00°04'10" West 510.78 feet along the West line of said Section 14 to the REAL POINT OF BEGINNING of this Description; thence

Thence North 89°37'17" East, 1257.00 feet to a point;

Thence North 00°17'37" West 495.71 feet to a point on the North line of said Section 14;

Thence North 00°17'37" West 21.29 feet to a point;

Thence North 89°37'17" East, 100.00 feet to a point;

Thence South 00°17'37" East, 22.49 feet to a point on the North line of said Section 14;

Thence South 00°17'37" East, 587.73 feet to a point;

Thence South 89°51'05" East, 895.73 feet to a point;

Thence North 00°00'18" West, 20.00 feet to a point;

Thence South 89°51'05" East, 408.74 feet to a point on the East line of the West 1/2 of said Section 14;

Thence South 00°00'18" East, 4713.90 feet to the Southeast Corner of the West 1/2 of said Section 14;

Thence South 00°06'03" West, 5306.80 feet to the Southeast Corner of the West 1/2 of Section 23, T5S, R6E, B.M.;

Thence North 89°12'13" West, 2694.98 feet to the Section Corner common to Sections 22, 23, 26 and 27, T5S, R6E, B.M.;

Thence North 00°23'16" East, 2637.79 feet to the Northwest Corner of the SW 1/4 of said Section 23;

Thence North 00°23'36" East, 2637.48 feet to the Section Corner common to Sections 14, 15, 22 and 23, T5S, R6E, B.M.;

Thence North 00°04'10" East, 4775.72 feet along the West Line of said Section 14 to the REAL POINT OF BEGINNING.

This parcel is subject to all existing Easements and Rights of Way.

Tract II (A):

A parcel of land being the West 1/2 of Section 35, Township 4 South, Range 6 East, Boise Meridian, Elmore County, Idaho, being more particularly described as follows:

Commencing at the Section Corner common to Sections 26, 27, 34, and 35, T4S, R6E, B.M., the REAL POINT OF BEGINNING of this description;

Thence South 87°51'19" East, 2634.93 feet to the Northeast Corner of the West 1/2 of said Section 35;

Thence South 00°12'56" West, 5323.23 feet to the Southeast Corner of the West 1/2 of said Section 35;

Thence North 89°11'30" West, 2650.99 feet to the Section Corner common to Sections 34 and 35, T4S, R6E, and Sections 2 and 3, T5S, R6E, B.M.;

Thence North 00°21'43" East, 2693.06 feet to the 1/4 Corner common to said Sections 34 and 35;

Thence North 00°26'23" East, 2691.47 feet to the REAL POINT OF BEGINNING of this description.

This parcel is subject to all existing Easements and Rights of Way.

Tract II (B):

A parcel of land being a portion of the NW 1/4 and the North 1/2 of the SW 1/4 of Section 2, Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho, being more particularly described as follows:

Commencing at the Section Corner common to Sections 34, and 35, T4S, R6E, and Sections 2 and 3, T5S, R6E, B.M.;

Thence South 00°32'34" West, 30.00 feet along the West Line of said Section 2 to a point on the South Right of Way of Beet Dump Road, the REAL POINT OF BEGINNING of this description;

Thence South 89°11'30" East, 2651.08 feet along said Right of way to a point on the East Line of the NW 1/4 of said Section 2;

Thence South 00°22'56" West, 3930.44 feet to the Southeast Corner of the North 1/2 of the SW 1/4 of said Section 2;

Thence North 89°25'25" West, 2662.78 feet to the Southwest Corner of the North 1/2 of the SW 1/4 of said Section 2;

Thence North 00°34'25" East, 1328.16 feet to Northwest Corner of the North 1/2 of the SW 1/4 of Section 2;

Thence North 00°32'34" East, 2612.99 feet to the REAL POINT OF BEGINNING of this description.

This parcel is subject to all existing Easements and Rights of Way.

Together with water right numbers: 61-10770, 61-7097, 61-7262B, 61-7299, 2-2367 and 2-2269

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 7, 2016

TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME ID 83647

Re: Transfer No(s): 78277, 78278 & 78279
Water Right No(s): 61-11974, 61-12186, 61-12204, 61-12206

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 Department has combined Transfer Approvals 78277, 78278 & 78279 for the convenience of the Applicant.

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

CC:

THOMAS H CARSON
TLK FARMS INC TLK DAIRY INC
650 N 2ND E
MOUNTAIN HOME ID 83647

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 78277, 78278 & 78279
Water Right No(s).: 61-11974, 61-12186, 61-12204, 61-12206

TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME ID 83647

THOMAS H CARSON
TLK FARMS INC TLK DAIRY INC
650 N 2ND E
MOUNTAIN HOME ID 83647

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. 78277, 78278 & 78279
FROM:	Patrick Kelly
DATE:	12/15/2015
RE:	Evaluation of Application

The transfer proposes to swap irrigation rights 61-12186, 61-12204 and 61-12206 with irrigation right 61-11974. 61-11974 is the most senior right owned by TLK Properties, and the owner wishes to bring the most senior right to an area that is further developed. 61-12186 is being split and transferred to maintain existing combined uses stay in place, and that the only component of the transfer to change between the rights is the priority date exchange.

The site receiving the more senior right is located 6 miles directly south of Mountain Home. The site receiving the junior water rights is located 6.5 miles to the NW, near the Mountain Home Air Force Base.

Contact person for the applicant is Thomas Carson at 208-468-3500.

Deviations from Transfer Policy Standards

The four water rights being transferred were received in three separate transfer applications originally numbered 75308, 75307 and75367. For purposes of simple data entry, an approval document was created using workflow transfer application processing 78279.

Application 78277 for 61-11974 does not accurately describe the POU associated with 61-11974, however Application 78279 does. 61-11974 is not identified on application 78279 and amendments are not being sought to correct the POU. The intent is clear throughout the three applications and the approval reflects such changes. The applicant will have an opportunity to file a petition if any discrepancy is found.

Summary of Information Submitted

Authority to File: Applicant TLK Properties LLLP is the current water right owner of 61-11974, 61-12186, 61-12204 and 61-12206.. Transfer applications were signed by Terry L Ketterling. Mr. Ketterling is the registered agent of TLK Properties LLLP according to IDSOS records.

Water Right Validity: Beneficial use has been confirmed through power records provided by Idaho Power. Review staff has no information to suggest forfeiture concerns.

Injury to Other Water Rights: Because there are no proposed changes to the points of diversion or place of use, injury to other water users is not apparent.

Enlargement of Use: Historic combined use limits are being maintained to ensure that changes to diversion rate, volume and acres irrigated do not change. Farm B (Range 6 East pivots) desires the more senior rights and has a pre-transfer 4.30 cfs, 1,465 af on 366.5 ac (0.01 cfs/ac, 4.0 af/ac). Farm A (Range 5 East pivots) has a pre-transfer 4.24 cfs, 890 af on 212.0 acres (0.02 cfs/ac, 4.0 af/ac). No changes "on the ground" are taking place, only a transfer of rights to swap priority dates. Three of the four rights involved are moved without splitting but to maintain the pre-transfer rate, volume and acres at both farms, 61-12186 is being unstacked from 61-12204 and 61-12206. Total irrigated acres remain historically consistent at 366.5 acres and 212.0 acres (578.5 acres combined).

Local Public Interest: Review staff has no information to suggest this application is inconsistent with the 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.

Additional Information/Analysis

Additional information was requested to the applicant a number of times for various items since first receiving the transfer applications in 2008. Water analyses were completed to address nature of use changes from irrigation to stockwater purposes as well as to verify the extent of ground water use using power records in 2014. This was later abandoned to strictly a transfer of priority date.

An amended transfer application was sent to the applicant in November of 2015 to correctly describe the place of use as well as to identify the number of acres that would be irrigated within the PPU. The Department received this information during an office visit by Mr. Carson on Dec 7,2015. At the time of this memo, the applicant has responded to all of the Departments requests and processing of the transfer applications may commence.

Because changes to the way water is used on the ground is not changing, comment letters will not be solicited.

Discussion (combine with previous section if prefer)

There were a total of three transfer applications for the four water rights. To make processing simpler in data entry, all of the rights were entered as one application in workflow transfer application processing 78279. The approval document was drafted and edited to reflect the approval of all three transfer applications, and an approval date will be entered on the other two process applications, should the transfer be approved.

After all of the amended transfer applications and original nature of use change from irrigation to stockwater, the ultimate change was a swapping of priority dates from one group of pivots to another roughly seven miles apart.

Water right 61-12186 was split so that the diversion rate, volume, acres and combined use limits remained the same pre transfer at both places of use. During the combined use analyses, it was found that the combined use limits for 61-12186, 61-12204 and 61-12206 were entered incorrectly during a previous ownership change. The three child rights should have received a 65% share of the parent rights totaling 366.5, and instead a limit of 210.7 acres was issued. See the combined use memo (11/9/2015) for further information about this.

There are no surface water sources available where the right is being moved to the Range 5 East pivots. Right 61-11974 pre-transfer had no supplemental conditions on the right. Part of the POU at the Range 6 East pivots is within the boundaries of the S. Elmore Irrigation Company. Power records were collected by Sr. Agent Kay Walker to show that the ground water use was in fact primary. Because groundwater is determined to be the primary use at both locations, no supplemental to surface water conditions will be added to any of the rights, and will be removed from 61-12204.

A letter was mailed 11/9/2015 requesting additional information regarding security interest notification. Lien holder letters received had no reference to transfer 78278. However, letters do acknowledge #78277 & #78279 which includes both properties. Because the transfer does not

remove rate, volume or acre from either land, no decrease in land value is occurring. At the time the letter was sent in November, the lien holder letters that we had already received had not yet been discovered in my review of the documents.

Condition 206 was added to all rights to identify acre limits within a PPU. Information was requested of the applicant to provide a shape file or information to identify what acres would be irrigated at both places of use. A map outlining the number of acres to be irrigated within each QQ was received for the 2016 season moving forward. The right owners will have to provide updated information any time they anticipate a change in acres irrigated within the PPU prior to the start of such a season.

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

SRBA processing has commenced. These rights were either decreed in 2000 or licensed in 1995. Data entry shows results were migrated to water right records.

Summary

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.

[redacted]

Points of Diversion (2)
Permissible Place of Use
Township/Range
Sections
QQ

0 0.25 0.5 Miles

NENW NENE NWNW
SENW SWNE SENE SWNW
26 25
NESW NWSE NESE NWSW
SESW SWSE SESE SWSW

NENW NWNE NENE
30 32 NWNW 32 $7.5
38 40 NENW 40 31
NWNE NENE NWNW
61-12204
61-12206
61-12186

SENW SWNE SENE
38 38 SWNW 38 38
40 39 SENW 39 39
SWNE SENE SWNW
2016 Use

34 35 36

NESW NWSE NESE
40 40 NWSW 40 40
39 39 NESW 39 39
NWSE NESE NWSW

SESW SWSE SESE
40 39 SWSW 39 0
40 39 SESW 39 31
SWSE SESE SWSW

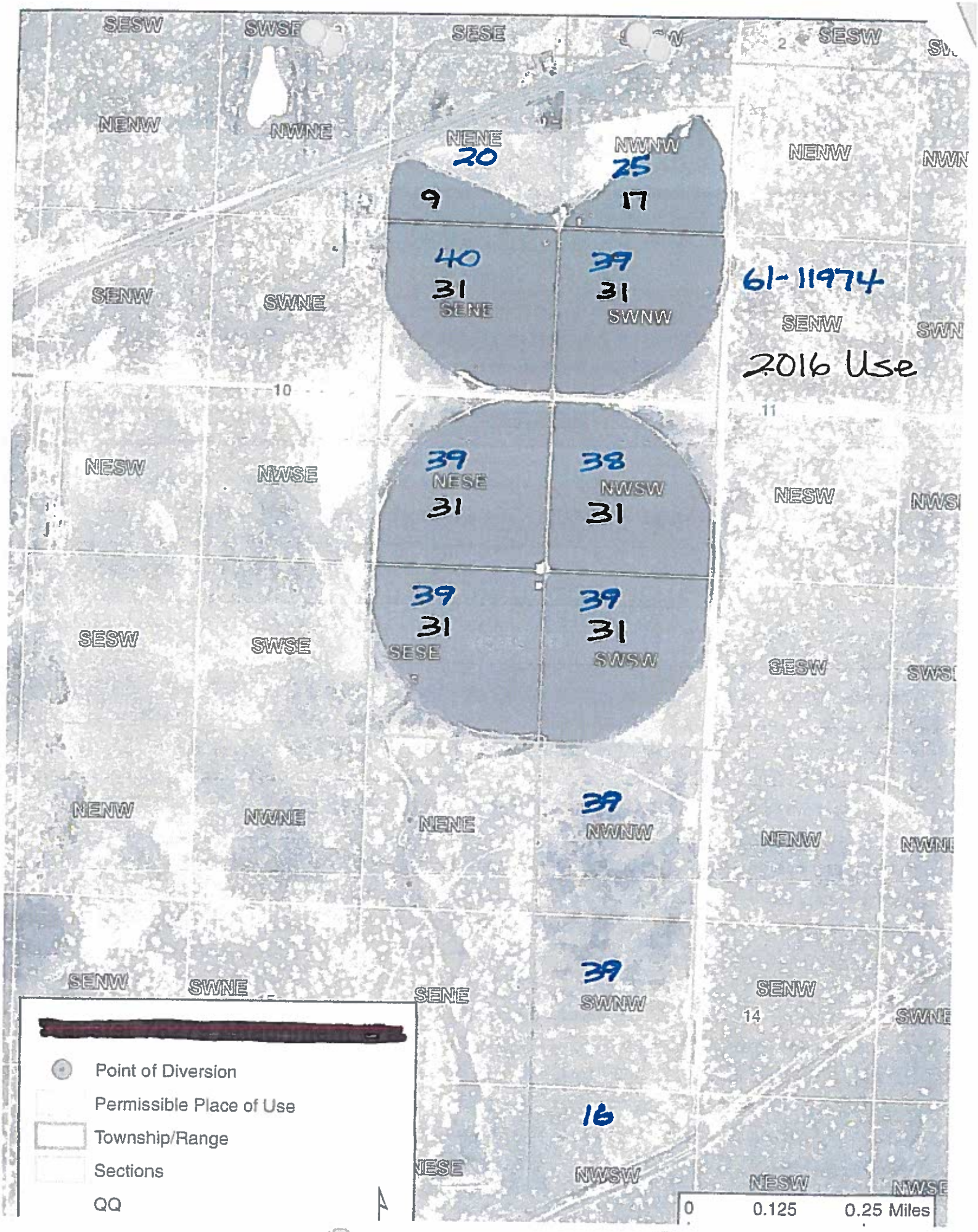
NENW 3 NWNE 2 NENE 1
39 39 NWNW 4 39 26
39 39 NENW 3 39 25
NWNE 2 NENE 1 NWNW 6

SENW SWNE SENE
39 40 SWNW 40 $7
39 39 SENW 39 $7
SWNE SENE SWNW 7

3 2 1

NESW NWSE NESE
39 39 NWSW 39 39
39 38 NESW 38 38
NWSE NESE NWSW NES

It's describe acres
irrigated per condition 206 request


SESW
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2016 Use
10
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39
NESE
31
38
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SENW
SWNE
SENE
39
SWNW
SENW
14
SWNE
16
NESE
NWSW
NESW
NWSE
Point of Diversion
Permissible Place of Use
Township/Range
Sections
QQ
0
0.125
0.25 Miles

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 9, 2015

COPY

TLK PROPERTIES LLLP
650 N 2ND EAST
MOUNTAIN HOME, ID 83647

RE: Application for Transfer No. 78277, 78278 & 78279

Dear Applicant:

On August 29, 2014 , you filed amended applications for transfer of water rights 78277, 78278 & 78279. The purpose of the transfer is to swap priority dates for ground water rights at two places of use owned and operated by TLK Properties. Transfer 78277 will move water right 61-11974 carrying a 1966 priority to a location near TLK Properties Dairies. Transfer 78278 and 78279 will move rights, 61-12204, 61-12206 and 61-12186 with a 1976, 1993 and 1971 priority respectively to replace the irrigation right being moved under transfer 78277.

I am contacting you today in an effort to complete the application process. Amended application for transfer 78279 proposes transferring a portion of water right 61-12186. What is being moved will fulfill what is currently in place when combined with 61-12204 and 61-12206. Once completed, changes to the rights will only reflect a swap in priority dates, and combined use limits of rate, volume and acres will not be altered.

The following information is required to proceed with the transfer applications:

1. Review the Application for Transfer of Water Right No. 78279. Make any changes needed to correct any errors in the document. Once the application is accurate, sign and return the document to my office.
2. IDWR Condition of Approval #206 will be added to any rights considering a Permissible Place of Use. Condition #206 will read:

   This right is limited to the irrigation of a specific 212 acres within the 373.0 acre place of use authorized by this right in a single irrigation season. The specific 212.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 212.0 acres to be irrigated within the 373.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

   You must identify the acres you will be irrigating using ground water for the 2016 season at both places of use. Areas irrigated by ground water within Township 4 South Range 6 East and 5 South Range 6 East (Group B on transfer application pg 3) shall not exceed a total of 366.5 acres. Areas irrigated by ground water within Township 4 South Range 5 East (Group

A on transfer application pg 3) shall not exceed a total of 212.0 acres. An interactive map tool may be used to assist you in measuring the correct area at http://maps.idwr.idaho.gov/map/. Please complete the maps and return this information to my office.

3. Amended Application for Transfer of Water Right received on August 29, 2014 indicated that NWFCS either holds liens, deeds of trust, mortgages, or contracts related to the water rights referenced above. Obtain 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. Please return this document to my office labeled: Attachment 6 for Transfer No. 78277, 78278 and 78279.
4. Please review the Minimum Requirements Checklist page of the attached transfer application. Many of the items have been received by prior applications and were marked as either received or not applicable. The remaining items should be completed by the applicant and returned to my office.

Please submit the requested information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be rejected without a timely written reply within the next thirty (30) days. Refunds are not issued for rejected applications.

Please contact me at 208-334-2190 for additional information. You may also contact me to schedule a time to meet at my office and review application. Thank you for your attention to these matters.

Respectfully,

Patrick Kelly

Patrick Kelly
Water Resource Agent
208.287.4933 phone
208.287.6700 fax
patrick.kelly@idwr.idaho.gov

Enclosure(s): Amended Transfer Application of Water Right No. 78279
Attachment #7a maps

MEMORANDUM

TO: Transfer Memo 78279
FROM: Patrick Kelly
DATE: 11/9/15
SUBJECT: Combined use limit review.

Current combined use limits for 61-12186, 61-12204 & 61-12206 state: 4.30 cfs, 1,465.0 af and 210.7 acres within a 366.5 acre PPU. Going back and tracking where this came from, I found that the three rights mentioned above come from an ownership change completed in 2008. The parent rights of 61-7097, 61-7262B & 61-7299 carry a combined limit of 6.53 cfs, 2,226.4 af and 556.6 acres on the issued decree.

An assignment of water rights was received showing the Ketterlings received a 65.85% share of the three parent rights in rate, volume and area. 65.85% of each parent right was then assigned in the name of TLK Properties LLLP. 65.85% of the parent right combined use limit should have resulted in a diversion rate of 4.3 cfs, 1,466.1 af and 366.5 acres. Instead, a combined use limit of 4.3 cfs, 1,465.0 af on 210.7 acres was issued post ownership change. The 210.7 acres matches the individual limit of 61-7097. It is my belief that the error was made by Department staff when they created the combined limit of 210.7 acres. A limit of for 366.5 acres should have been issued to match the 65.85% share of 556.6 acres.

The remaining 34.15% was issued to Frank Tiegs LLC during the ownership split. A combined use limit in conditions state that 61-12185, 61-12205 and 61-12203 shall not exceed 2.22 cfs, 760 af and 190 acres. This matches the 34.15% split of the parent rights. This confirms that a combined use limit of 366.5 acres should correct the 210.7 acre limit and that an expansion of any right by doing so will not result from such a change.

See the attached table breaking down the water right split.

Parent WR	Max Rate (cfs)	Max Vol (af)	POU (ac)
61-7097	6.40	1280.0	320.0
61-7262B	0.60	160.0	40.0
61-7299	2.61	960.0	240.0
C.U.L.	6.53	2226.4	556.6
65.85%	4.30	1466.1	366.5
34.15%	2.23	760.3	190.1

Water Right	Status	OwnerList	Max Rate (cfs)	Max Vol (af)	Total AC	AC Limit
61-7097	PARENT	BAGNESCHI, ANTH	6.40	1280.0	820.0	320.0
61-12185	Active	FRANK TIEGS LLC	2.19	437.1	280.0	109.3
61-12186	Active	TLK PROPERTIES LL	4.21	842.9	540.0	210.7
	65.85% of parent right		4.21	842.9	540.0	210.7
	per acre		0.020	4.0		

Water Right	Status	OwnerList	Max Rate (cfs)	Max Vol (af)	Total AC	AC Limit
61-7262B	PARENT	BAGNESCHI, ANTH	0.60	160.0	820.0	40.0
61-12205	Active	FRANK TIEGS LLC	0.20	54.6	280.0	13.7
61-12206	Active	TLK PROPERTIES LL	0.40	105.4	540.0	26.3
	65.85% of parent right		0.40	105.4	540.0	26.3
	per acre		0.015	4.0		

Water Right	Status	OwnerList	Max Rate (cfs)	Max Vol (af)	Total AC	AC Limit
61-7299	PARENT	BAGNESCHI, ANTH	2.61	960.0	820.0	240.0
61-12203	Active	FRANK TIEGS LLC	0.89	327.8	280.0	82.0
61-12204	Active	TLK PROPERTIES LL	1.72	632.2	540.0	158.0
	65.85% of parent right		1.72	632.2	540.0	158.0
	per acre		0.011	4.0		

Water Right	Status	OwnerList	Max Rate (cfs)	Max Vol (af)	Total AC	AC Limit
61-12186	Active	TLK PROPERTIES LL	4.21	842.9	540.0	210.7
61-12206	Active	TLK PROPERTIES LL	0.40	105.4	540.0	26.3
61-12204	Active	TLK PROPERTIES LL	1.72	632.2	540.0	158.0
	Combined Use Limit		4.30	1465.0	366.5	210.7
	Corrected Combined Use Limit		4.30	1466.1	540.0	366.5
	per acre		0.012	4.0		

Water Right	Status	OwnerList	Max Rate (cfs)	Max Vol (af)	Total AC	AC Limit
61-12185	Active	FRANK TIEGS LLC	2.19	437.1	280.0	109.3
61-12205	Active	FRANK TIEGS LLC	0.20	54.6	280.0	13.7
61-12203	Active	FRANK TIEGS LLC	0.89	327.8	280.0	82.0
	Combined Use Limit		2.22	760.0	280.0	189.8
	per acre		0.012	4.0		

Assignment of Water Rights

This Assignment of Water Rights is entered into this 12th day of June, 2008, between **Trekkel 12.5 acres, LLC**, an Arizona limited liability company as to an undivided 21.87% interest, **Anthony G. Bagneschi, PC 401K Plan** as to an undivided 8.60% interest, **Bryan K. Waggoner, PC 401K Plan** as to an undivided 8.60% interest, **KU Investments LLC**, a Nevada limited liability company as to an undivided 15.05% interest, **Boise 2730, LLC** as to an undivided 13.33% interest, **Anthony Bagneschi**, a married man as to an undivided 11.12% interest, **Bryan Waggoner**, a married man as to an undivided 12.72% interest, **and Ryan Kealy**, a married man as to an undivided 8.71% interest (collectively "Assignor") and **Terry L. Ketterling and Linda K. Ketterling**, husband and wife, whose address is 475 East 16th North, Mountain Home, Idaho 83647 ("Assignee").

By executing hereunder, Assignor does hereby assign its right, title, and interest in and to the following water rights:

1. Water Right 61-10770 in its entirety;
2. 65.85% of Water Rights 61-7097, 61-7262B, and 61-7299, including, but not limited to, the places of use, diversion rate (65.85% of 6.53 CFS), volume of use (65.85% of 2,226.4 AFA), and acre limit (65.85% of 556.6 acres), and the points of diversion for said water rights that are located in Section 35 of T. 4 S., R. 6 E., Boise Meridian, Elmore County Idaho.
3. Grantor conveys 531 shares of the South Elmore Irrigation Company.

MEMORANDUM

TO: Transfer Nos. 78277, 78278 and 78279

FROM: Kay Walker

DATE: July 21, 2015

RE: Evaluation of Applications

These transfers propose to move one water right with a senior priority date to lands adjacent to applicant's dairy. He will then move the irrigation rights with junior priority dates to lands that the senior right was located on. The third transfer proposes a split of the right between the two properties. The goal is to have the senior water rights on the lands next to the dairy in case there is ever a call on ground water.

The dairy site is located approximately 2.5 miles northeast of Mountain Home Air Force Base on west side of Birds of Prey Area Boundary and south side of Hwy. 67. The site water will be moved from is located approximately 8 miles south of Mountain Home and 7.5 miles southeast of Mountain Home Air Force Base.

Contact person for the applicant is Tom Carson, Chief Financial Officer for TLK Farms and Dairies at 650 North 2nd East, Mountain Home, ID, 83647, phone (208)880-6363.

Deviations from Transfer Policy Standards

The applicant filed three transfer applications in December of 2008 through January of 2009. He had planned to develop a second dairy at the location the senior water rights are being moved off of. He intended to swap the senior and junior irrigation rights and utilize some of the water for dairy purposes. By the time we were ready to process the transfers his intentions had changed and so he amended the applications to what he plans to do at this time. He has removed all dairy uses from the amended applications because he has gone to raising dry cattle at one of the facilities and has enough dairy water at the current dairy location pursuant to his representative.

When the transfer applications were received by the Department back in 2008/2009 they were issued Transfer Nos. 75307 (now 78277), 75308 (now 78278) and 75367 (now 78279). These numbers were replaced with the new transfer numbers in 2013. On Amended Transfer 78278 the applicant has written that the application replaces 78277 but it should say "This replaces IDWR Transfer #78278".

Right 61-11974 was decreed with the well described to a 10 acre tract location. In preparing the amended applications it was recommended that he file his diversion points to a 40 acre tract location in case he has to replace a well in the future. In the case of his senior rights the wells were described to 10 acre tracts on two of the rights and to the 40 acre tract on the second right that described the same wells but had gone through a transfer process previously. Recommend we use 40 acre tract descriptions

to describe the wells under these rights to allow the right holder some flexibility in case of future well issues.

Summary of Information Submitted

We now have enough information to proceed with the review and processing of the transfer applications. The complexity of the applications was reduced by removal of the dairy use under the applications. The applicant paid filing fees required for the original applications way before the new transfer fee schedule came into effect. I believe that since the Department did not process the applications in a timely manner that we should not charge any more filing fees at this time.

Authority to File:
The applicants are the water right holders of record for each of the rights involved in these transfer applications. The applicants are also authorized to do business in the State of Idaho pursuant to Secretary of State's office.

Water Right Validity:
Right 61-11974 presumed to be valid. Recent beneficial use confirmed via aerial photography. About 160 acres appeared to be irrigated in 2009 and more than that was under irrigation in 2006. The right is limited to 212 acres in any irrigation season. Rights 61-12204, 61-12206 and 61-12186 were in use in 2009 on the appurtenant lands pursuant to aerial photography. The 556 acres under the combined rights are owned by TLK and Tiegs.

Injury to Other Water Rights:
No injury should occur. This proposal is just moving senior water rights to replace junior water rights and junior rights to replace the senior right. The amount of water should not change. Both of the properties involved under these transfer applications are within the Mountain Home Groundwater Management Area and Trust Water Area. Since they are just moving priority dates, there should be no injury to other rights.

Enlargement of Use:
No enlargement of the water rights is proposed.

Local Public Interest:
It is within the local public interest to allow water users flexibility in their water rights and moving them around for the best possible coverage.

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.

Discussion

Data entry affected the correct records which are the partial decrees issued in October of 2000, and a license issued in 1995.

Overlapping rights at existing POD for Rt. 61-11974 are rights 61-12186, 61-12204 and 61-12206 which will be moved to the location that this right is currently appurtenant to. The proposed place of use has surface water shares from South Elmore Irrigation Company. Those shares were not appurtenant to the land under this transfer application until July of 2012. The applicant had only used a minimal amount of water from the irrigation district up to this time. See letter from the irrigation district in file.

Overlapping rights at existing POD for Rts. 61-12204, 61-12206 and 61-12186 are Rts. 61-12185, 61-12203 and 61-12205. These rights are the sibling rights 61-12186, 61-12204 and 61-12206. The sibling rights were created due to a change in ownership and now belong to Frank Tiegs LLC.

Summary

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.

Walker, Kay

From: Thomas Carson [thomas.h.carson@gmail.com]
Sent: Tuesday, May 19, 2015 2:40 PM
To: Walker, Kay
Cc: Terry L Ketterling; Linda Ketterling; Tony Ketterling
Subject: TLK Properties LLLP- IDWR transfers #78277, 78278,78279
Attachments: TLK- South Elmore.jpg; TLK Properties- Idaho Power billing-RB & Feedlot.pdf; TLK Properties-Idaho Power billing SC.xlsb

Kay -

In response to your letter of February 20, 2015 I have attached the power records from both the Rock Barn/ Feedlot places and Smoking Claw wells. I have also attached a letter from South Elmore Irrigation Company.

The part of the Rock Barn/Feedlot places that lies north of Beet Dump road are not within the South Elmore Company boundaries and the part lying south of Beet Dump road has only been in the boundaries since 7-30-2012 and has used very limited South Elmore water on it.

Let me know if you need further information.

Tom Carson
TLK Farms, CFO
468-3500

--
Thomas H Carson
208-880-6363 (c)
Far and away the best prize that life offers is the chance to work hard at work worth doing. Theodore Roosevelt

15 May 2015

Kay Walker

Sr Water Resource Agent

Idaho Department of Water Resources

2735 Airport Way

Boise, Idaho 83705-5082

Dear Madam:

TLK Properties, LLLP owns lands in Twp 5S Rng 6E Section 2, NW ¼ and the N ½ of the SW 1/4 of which lands are covered by well water rights and also by South Elmore Irrigation Company (SE).

The boundary lines of SE were changed on 7-30-12 to include these lands and prior to that date, these lands were not within the SE boundaries.

TLK Properties, to the best of our knowledge, has only used SE water on the 8 acres in the far SE corner of the N ½ of the SW ¼.

Other than the above mentioned use, we are not aware of TLK Properties using the SE waters on this parcel.

Sincerely,

South Elmore Irrigation Company

Jack Post

President

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 20, 2015

TLK PROPERTIES LLP
ATTN: TOM CARSON
650 N 2ND EAST ST
MOUNTAIN HOME ID 83647

RE: Transfer Nos. 78277, 78278 and 78279

Dear Mr. Carson:

After several meetings with my co-workers in regard to the above referenced transfer applications, I offer the following information.

Transfer 78277 proposes to "move" primary water right 61-11974 with a 1966 priority date to lands where you have surface water from South Elmore Irrigation District available. Transfer 78278 proposes to "move" rights 61-12204 and 61-12206, which are supplemental rights to the South Elmore Irrigation District water, to the lands covered under a primary right only. Transfer 78279 proposes to split Rt. 61-12186 between the 2 locations.

In review of these applications, we have to consider what expansion, if any, may occur if a primary right is moved to a supplemental situation, and when supplemental rights are moved to become a primary source of water. Enclosed, for your information are copies of pages 29 and 30 of our "Transfer Processing Policies & Procedures" memo. Please note that page 29 discusses changing supplemental rights to primary rights and what has to be done to accomplish this. We will require documentation of the amount of surface water you have used at your farm during each irrigation season for the last 5 years. We also will need documentation of how much ground water you have used per year, on both places, during the same 5 year period (this may require information for a period longer than 5 years, see attachment). If your surface water has been available and used during this period, you may have to reduce the acres to be transferred to account for any expansion that may occur. You may also want to inform us exactly how many irrigation district shares you have for your property, and how much each share is worth, so we can take that into account while we are determining if expansion will occur by the proposed changes.

If clear documentation cannot be provided of the amount of water that has been used under the three systems, it would be to your advantage to withdraw the transfer applications and

leave the water rights as they are now recorded. Both of your places are in the Mountain Home Groundwater Management Area and the Trust Water Area and at some time may be subject to water master control. At this time, however, they are not in an area that is being regulated as a water district.

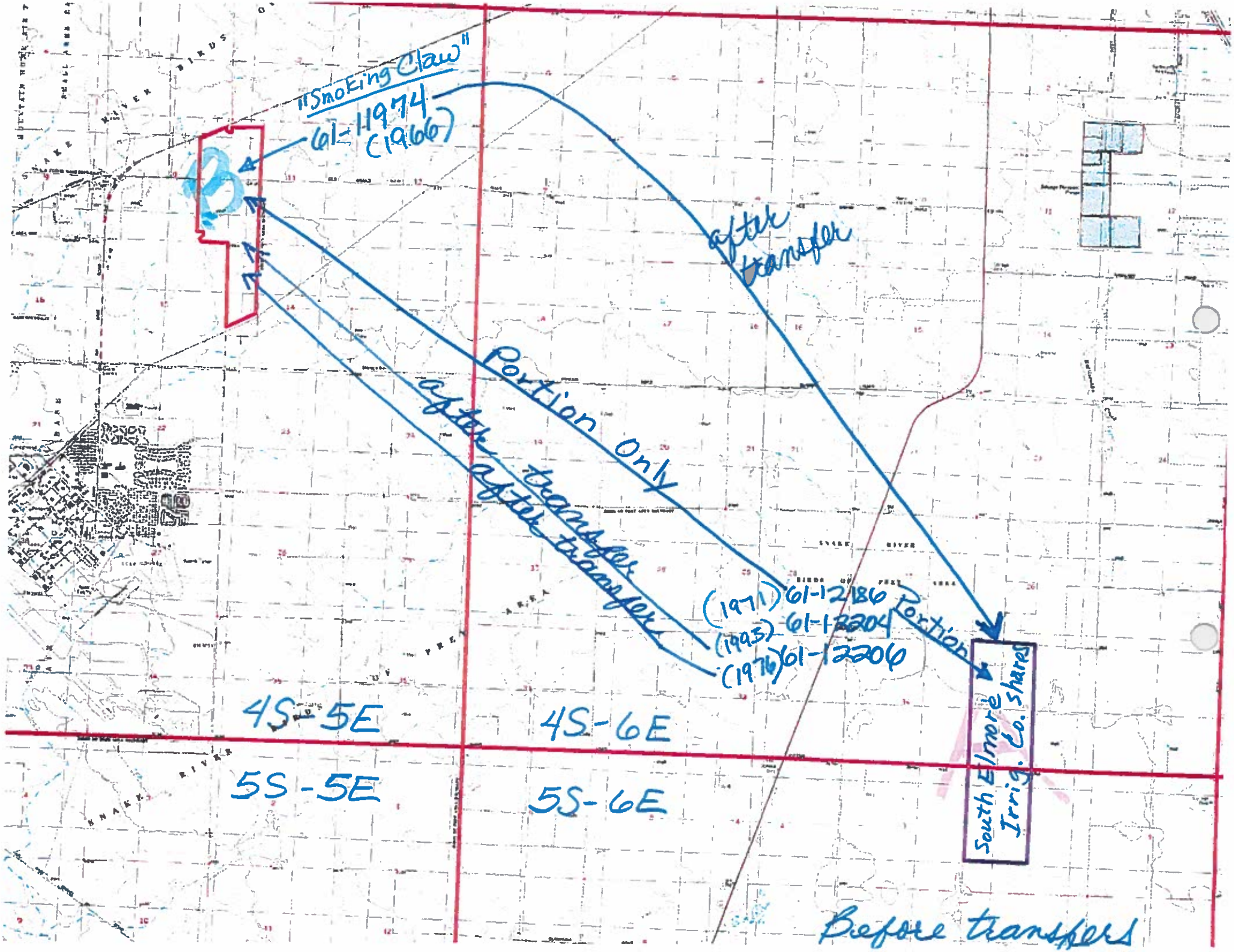
I am sorry it has taken so long to get this transfer review completed. If you have any questions regarding this matter, please feel free to contact me. I have set my retirement date for the end of August and would like to finalize these applications, one way or the other before then, if possible.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Enclosures


"Smoking Claw"
61-11974
(1966)
after transfer
Portion Only
after transfer
after after transfer
(1971) 61-12186
(1993) 61-12204
(1976) 61-12206
Portion
South Elmore Irrig. Co. shares
4S-5E
4S-6E
5S-5E
5S-6E
Before transfers

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 3, 2014

TERRY L AND LINDA K KETTERLING
650 N 2ND E
MOUNTAIN HOME ID 83647

Re: Applications for Transfer Nos. 78277, 78278 and 78279

Dear Applicants:

Recently you requested more time to provide additional information for the above referenced applications.

Your request is approved. The information requested by the Idaho Department of Water Resources (IDWR) on June 25, 2014, is therefore due by **September 1, 2014,** to prevent the applications from being voided.

More information about water rights and other matters administered by IDWR is available on the Internet at www.idwr.idaho.gov. Please feel free to contact me at (208)334-2190 if you have any questions.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Walker, Kay

From: Linda Ketterling [lindaketterling@gmail.com]
Sent: Wednesday, July 02, 2014 1:47 PM
To: Walker, Kay
Subject: signed letter
Attachments: IDWR.Kay.pdf

Hi Kay,

Please find attached the signed letter for applications for transfer water rights.

If you have any questions please contact Tom Carson or myself

Linda

RECEIVED
JUL 02 2014
WATER RESOURCES
WESTERN REGION

2 July 2014

Kay Walker

Sr Water Resource Agent

Idaho Dept of Water Resources

2735 Airport Way

Boise, Idaho 83705-5082

Dear Kay:

We are in receipt of your letter dated June 25, 2014 regarding our applications for transfer #78277, 78278 & 78279.

We plan on meeting with you within the next 60 days to provide you the information needed to proceed with these transfers. Therefore, please delay the processing of these water transfers until we have provided that information to you and do not issue a preliminary order to reject the applications.

Thank you for your attention to this matter. If you have questions please contact Tom Carson at 208-880-6363 or our office in Mountain Home at 208-587-9855.

Sincerely,

Linda Ketterling

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

C. L. "BUTCH" OTTER
Governor
GARY SPACKMAN
Director

June 25, 2014

TERRY L AND LINDA K KETTERLING
650 N 2ND E
MOUNTAIN HOME ID 83647

RE: Applications for Transfer Nos. 78277, 78278 and 78279

Dear Mr. and Mrs. Ketterling:

On January 2, 2014, I sent you a letter requesting information concerning Transfer No. 78277. I discussed the letter with Mr. Carson on January 13, 2014, and he said you were working on the information. I talked with Mr. Carson again on March 5, 2014, and sent him copies of each of the transfers that you have pending with us. As of today, I have not received any information in response to my January 2 letter. I have included a copy of that letter for your convenience.

Please advise the Department within the next 30 days how you wish to proceed with the transfers you have pending with our office. You may seek additional time to provide the information by making a written request to delay processing. Your written response, including the requested information or a request for more time to seek the information, must be received within the next thirty (30) days. Without a timely reply, IDWR will issue a preliminary order to reject the applications. The application fees will not be refunded for rejected applications. A rejected application may be re-filed when adequate information can be provided.

Thank you for your attention to this matter. If you have any questions or concerns regarding this matter, please do not hesitate to contact this office.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Enclosure

7-2-14
Mr. Carson called - had everything ready to come in - will send letter & make appt. to discuss. KW

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

C. L. "BUTCH" OTTER
Governor
GARY SPACKMAN
Director

January 2, 2014

TERRY L AND LINDA K KETTERLING
475 E 16TH N
MOUNTAIN HOME ID 83647

RE: Application for Transfer No. 78277 - "NEW DAIRY"

Dear Applicants:

We are in the process of reviewing the above application for transfer so it can be advertised and completed. Upon review of the amounts of water you have filed for stock water use we have found that you either need to dry up more acres than proposed OR reduce the amount of water requested for your stock water needs. The key factor is to not exceed the amount of water decreed under the water right so no enlargement occurs.

If you dry up 141 acres, as proposed, the total amount of consumptive volume for this proposal would exceed the consumptive use volume as currently recorded. When the consultant prepared your transfer he used an actual daily evapotranspiration (ET) factor of 1084 mm x .0032808 = 3.56 acre feet (af) per acre. The Department standards recommend use of precipitation deficit ET which is found to be 986 mm x .0032808 = 3.235 af per acre. This causes the consumptive use to be in error for the irrigation volume. So, 212 acres x 3.235 af/ac = 685.8 acre feet in consumptive use volume. This is the amount that cannot be exceeded in the transfer process. The contractor's calculation for 212 acres x 3.56 af/ac = 754.7 acre feet for consumptive use volume. As you can see, the contractor's number is high which changes the other factors in the determination of water needs for the proposed dairy. (FYI: millimeters x 0.0032808 = feet.)

The options are as follows:

1. If you reduce the amount of water needed for stock to the recommended amounts of 35 gallons per day per head for lactating cows and 12 gallons per day per head of dry cattle, the consumptive use would be reduced and there would be no need to increase the number of acres to dry up.

2. If we proceed with the application the way it was submitted, you will have to dry up 152.7 acres rather than the proposed 141, to stay within the consumptive use volume limitation.

Once we resolve the issues identified above, it may change the information contained on the other 2 applications for transfer. So depending on your response, we may have to do more work to make the additional applications ready to process.

Please advise me how you wish to proceed on this application form. I cannot go any further in my review until I know how you want to proceed. Please contact me if you have any questions in regard to this matter.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

7 February 2012

TO: Idaho Department of Water Resources (IDWR)

FROM: Northwest Farm Credit Services (NWFCS)

RE: Water transfer #75307 & #75367

Gentlemen:

Please be advised that NWFCS has a mortgage on a part of the above referenced lands. NWFCS is not opposed to the water transfers referenced in these water transfer applications.

Erin Prews Dated: 2/13/2012

STATE OF IDAHO)

: ss.

County of Twin Falls)

On this 13th day of February, in the year 2012, before me, a notary public for the State of Idaho, personally appeared Erin Prews, and also known or identified to me to be the Credit Officer of NWFCS and whose name is subscribed to the within and foregoing instrument, and acknowledged to me on this day under oath, that, being informed of the contents of this agreement, ___ executed the same on behalf of NWFCS as ____ free and voluntary act and deed.

Holly Klosterman

Notary Public for the State of Idaho

Residing at: Twin Falls, Id

My Commission Expires: 12-15, 2013

RECEIVED

MAR 13 2012

WATER RESOURCES
WESTERN REGION

MEMO

From: Kay Walker Kay
To: Transfer Files
February 10, 2012

On February 6, 2012, Terry Ketterling and Thomas Carson came into the office to discuss Transfers 75307, 75308 and 75367 and to file an additional transfer of Rt. 61-11975 so that he could add a well for his dairy use. During this visit we went over the transfer applications and discussed the deficiencies.

The location of the place of use where lagoon water will be used was identified as follows:
Twp. 5S, Rge 6E
All of Sec. 10
W½ Sec. 11
NWNE, Sec. 11
All of Sec. 2
All of Sec. 3 except NW¼

Mr. Carson will contact the lien holder's and request notarized statements that they are in agreement with the transfer of the water rights.

The applicant has South Elmore Irrigation District water on the lands that will be converted to dairy use. He stated he will be able to use his shares on other lands that he owns so the water will be utilized within the boundaries of the district.

I had indentified some clerical errors on the transfer applications that I discussed with the applicant and during office visit Mr. Ketterling changed, dated and initialed so we could continue with review.

TLK FARMS, INC. & TLK DAIRY, INC.

TERRY KETTERLING
OWNER, PRESIDENT

475 EAST 16TH NORTH
MOUNTAIN HOME, ID 83647

CELL: 208.599.1010
FAX: 208.587.5930
tlket@starband.net

Rec'd cards
2/6/12 -
KW

TLK FARMS, INC. & TLK DAIRY, INC.

THOMAS H. CARSON
CHIEF FINANCIAL OFFICER

650 NORTH 2ND EAST
MOUNTAIN HOME, ID 83647

CELL: 208.880.6363
OFFICE: 208.587.9855
FAX: 208.587.7060
thomas.h.carson@gmail.com

RECEIVED
NOV 08 2011
WATER RESOURCES
WESTERN REGION

7 November 2011

Kay Walker
Sr Water Resource Agent
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RE: Water right transfers #75307, 75308, and 75367

Dear Kay:

Please be advised we want the IDWR to continue to work on these water right transfers and to contact Thomas H Carson, should you have questions or need additional information.

Tom's mobile telephone number is 208-880-6363 or you can call our office at 208-587-9855.

Also, please change the mailing address on all of your documents to 650 North 2nd East, Mtn. Home, Idaho 83647.

DE address change - KW 11/14/11

Thank you for your assistance.

Linda Ketterling

FAXED 1:19 p.m. 11-7-11

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 14, 2011

11-7-11
Tom Carson - attorney for Ketterlings
468-3500
They thought the transfers were completed - want to pursue.
KW

TERRY L & LINDA K KETTERLING
475 E 16TH N
MOUNTAIN HOME ID 83647

RE: Applications for Transfer Nos. 75307, 75308 and 75367

Dear Applicants:

The above referenced transfer applications have been assigned for review and due to their age, we would like confirmation that you still wish to pursue these applications before putting too much time into them. The applications were submitted in December of 2008 and January of 2009 and it doesn't appear that we have done much work on them as of this date. A summary of each transfer application is as follows:

T. 75307 – Transfer to change a portion (2.82 cfs) of Rt. 61-11974 from an irrigation use to commercial and stockwater use in a dairy.

T. 75308 – Transfer to change remaining portion (1.42 cfs) of Rt. 61-11974 from an irrigation use to commercial and stockwater use in a dairy.

T. 75367 – Transfer to change portions (1.84 cfs) of Rts. 61-12186, 61-12204 and 61-12206 from irrigation uses to commercial and stockwater uses for a new dairy.

Since we have not processed these applications yet, if you wish to withdraw them, we can offer a refund of the filing fees submitted. We have enclosed a request for withdrawal of transfer form for your convenience. If you want to pursue the applications we will begin our review as soon as you advise us of your wishes.

We also note that you had been working with a consultant during submittal of the applications. Do you want us to correspond with them in regard to these transfers if you decide to pursue them? Are you still working with TSK Enterprises? Please advise us of your wishes in this matter.

Please provide a response to the above questions for application processing to proceed. You may seek additional time to provide the information by making a written request to delay processing. Your written response, including the requested information or a request for more time to seek the information, must be

received within the next thirty (30) days. Without a timely reply, IDWR will issue a preliminary order to reject the applications. The application fees will not be refunded for rejected applications. A rejected application may be re-filed when adequate information can be provided.

Please feel free to contact me if you have any questions in regard to this matter. You can reach me at 334-2190. Thank you for your attention to this matter.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Enclosure

RECEIVED
DEC 11 2008
WATER RESOURCES
WESTERN REGION

T
S ENTERPRISES
K 255 Blue Lakes Bvld, PMB 617
Twin Falls, Idaho 83301
208 324-6411

Dec. 10, 2008

Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720

Re: Two Water Transfers

Dear Mrs. Skaggs,

Enclosed is the following:

Transfers for Terry L. Ketterling, and Linda K. Ketterling (two transfers)

A. Maps of existing dairy and proposed dairy
B. Consumptive Use Calculations and supporting documentation
C. Dairy Requirements
D. Water Right No. 61-11974
E. Ownership Documentation for Existing P/U
F. Ownership Documentation for Proposed P/U
G. Check for the filing fees.
H. Crop Reports for 2004 thru 2008
I. Well interference impact study(Thompson Engineering,Inc.)

Brief

Applicants propose to transfer Water Right 61-11974 for commercial and stock water use at two proposed dairy locations. The dairies are located approximately eight miles south of Mountain Home, and one mile east of Hwy 51, south of Beet Dump Road.

The first dairy is an existing facility that will accommodate 10,760 lactating cows, 700 heifers, and 500 dry cows.

The second dairy will have 6,500 lactating cows, and 2,000 dry cows. The new dairy will be across the road, east of the existing dairy. The groundwater rights (irrigation) on the location of the new dairy will be transferred to other lands.

Water right 61-10663 is also used for stock water in the SESE S3, and NENE S10, part of the dairy site as mentioned in the original transfer for the existing dairy.

Water right 61-10658 is a separate system, used as applicant's domestic use. Currently there are two wells at the existing dairy. There will be one new well along with two existing wells at the new dairy.

Consumptive Use and Rate to be Transferred

We have used 1999 records from the Agrimet Station at Grand View, and 1999 crop records from the ASCS office to create an average consumptive use rate. This was applied in the first transfer for the existing dairy.

Remarks

Jim Stanton of the Idaho Department of Water Resources, Southern Region, has assisted me with the calculations for the transfers. Mr. Stanton has advised me, per your phone conversation, of the department procedure to split the original water right (61-11974), and issue appropriate water right numbers to the individual transfers. Upon receipting the applications fees, please sign the last page of the applications and send me a copy along with the receipt so I may record a copy with my copies.

Third transfer will be filed shortly on the movement of the water from the ground the new dairy is to be built on. This water will be going to the property where the transfers for the dairy's are coming from.

Terry L. Ketterling, and Linda K.Ketterling hired TSK Enterprises LLC to file the applications. If you have any further questions, please contact me.

Thank You,

Gary L. Funderburg

RECEIVED
DEC 11 2008
WATER RESOURCES
WESTERN REGION

THOMPSON ENGINEERING, INC.
Consulting Engineers and Professional Land Surveyors
(208-745-8771)

RECEIVED
DEC 11 2008
WATER RESOURCES
WESTERN REGION

Water Right Transfer
Well Interference Impact Study
Prepared for TLK Farms

Transfers of Water Right (61-11974)

Prepared by: Jason C. Helms, P.E.
December 10, 2008

TRANSFER INTENT

The intent of the transfer applications is to change the place and nature of use for a portion of existing ground water irrigation right 61-11974 to provide additional consumptive use for stock water and commercial uses at an existing and new dairy facility located approximately 8 miles south of the City of Mountain Home. The current transfer proposal seeks to transfer 754.7 acre-feet per year of consumptive use from irrigation uses at an existing farm located in TWP. 4S, RNG. 6E, Sections 10, 11 and 14 approximately 7.5 miles to the southeast for stock water and commercial uses at a new well located in TWP. 5S, RNG. 6E, Section 2.

ANALYSIS METHODS

The purpose of this analysis is to provide an estimate of potential impacts to existing water rights in the area of the proposed transfer. The analysis was performed utilizing the Theis method which calculates theoretical drawdown in confined homogenous aquifers of infinite extent using conservation principles based on estimates of hydraulic conductivity, aquifer thickness, and storativity. Determination of the primary characteristics was made as follows:

- HYDRAULIC CONDUCTIVITY: Review of existing well logs in the area reveals several wells which have pump test data specified. A copy of the logs utilized in this study is attached as **Appendix A**.
    - Bob Rhead Well Log (61-7007) drilled in 1967 indicates 2,450 gpm produced with an associated drawdown of 89 feet after pumping for 5 hours. This well is located approximately 1 mile to the southwest of the proposed diversion locations.
        - Theis analysis to match indicated drawdown results in a base hydraulic conductivity of 12.1 ft/day
    - Squaw Creek Farms Well Log (61-7206) drilled in 1995 indicates 1,450 gpm produced with an associated drawdown of 100 feet after pumping for 29 hours. This well is located approximately ½ mile to the east of the proposed diversion locations.
        - Theis analysis to match indicated drawdown results in a base hydraulic conductivity of 6.8 ft/day
    - W.D. Hennis Well Log (61-7017) drilled in 1967 indicates 1,100 gpm produced with an associated drawdown of 62 feet after pumping for 24 hours. This well is located approximately ½ mile to the southwest of the proposed diversion locations.
        - Theis analysis to match indicated drawdown results in a base hydraulic conductivity of 8.3 ft/day

- Elwood D. Wing (Squaw Creek Farms) Well Log (61-0717) drilled in 1989 indicates 2,700 gpm produced with an associated drawdown of 38 feet after pumping for 48 hours. This well is located approximately 1 mile to the northeast of the proposed diversion locations.
    - Theis analysis to match indicated drawdown results in a base hydraulic conductivity of 36.9 ft/day
- Elimination of the Elwood D. Wing Well due to its extreme variation from the other test values and averaging the remaining values gives an effective hydraulic conductivity of **9.1 ft/ day**.

- AQUIFER THICKNESS: Review of local well logs indicates multiple water bearing formations from depths of 250 feet to as much as 800 feet below ground. Based on this information, aquifer thickness was set at **500 feet thick** for purposes of this analysis.

- STORATIVITY: Since the water bearing formations most likely exist under semi-confined conditions, a minimal storativity value of **0.0051** was selected to provide a conservative estimate of drawdown determinations.

- NET TRANSFER EFFECTS: The net ground water impacts resulting from the transfer was calculated by combining the impacts of the proposed pumping at the new location with the beneficial impacts resulting from the proposed transfer portion no longer diverted at its current point of diversion.

ANALYSIS RESULTS

After 1 year of pumping at the average rate of diversion based on 754.7 acre-ft per year, increased drawdown in the immediate vicinity of the proposed new well is approximately 5-10 feet. Similarly, the water table rebounds approximately 5-10 feet from cessation of diversion at the original location. The resulting calculated water table change map for the vicinity resulting from the transfer is attached as **Figure 1**.

For any questions regarding this analysis, please contact:

Jason C. Helms, P.E.
Thompson Engineering, Inc.
(208) 745-8771

Appendix A:

Well Logs Utilized for Aquifer Parameter Estimation

61-7007

RECEIVED
FEB 20 1968
Department of Reclamation

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

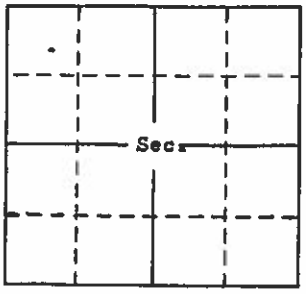
WELL OWNER:
Name Bob Rhead
Address Mountain Home, Idaho

Owner's Permit No. 61-7007
NATURE OF WORK (check): Replacement well [ ]
New well [X] Deepened [ ] Abandoned [ ]
Water is to be used for: Irrigation
METHOD OF CONSTRUCTION: Rotary [ ] Cable [X]
Dug [ ] Other (explain)
CASING SCHEDULE: Threaded __ Welded X
20" Diam. from 0 ft. to 28 ft.
16" Diam. from 0 ft. to 135 ft.
14" Diam. from 0 ft. to 573 ft.
" Diam. from ft. to ft.
Thickness of casing: 1" Material:
Steel [X] concrete [ ] wood [ ] other [ ] (explain)
PERFORATED? Yes [X] No [ ] Type of perforator used: Factory slot
Size of perforations: 1/4" by 3"
8 per ft. perforations from 360 ft. to 400 ft.
6 per ft. perforations from 400 ft. to 503 ft.
20 per ft. perforations from 503 ft. to 573 ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes [ ] No [X]
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes [ ]
No. [X] size of gravel Gravel placed from ft. to ft. Surface seal provided? Yes [ ] No [ ] To what depth? ft. Material used in seal:

Did any strata contain unusable water? Yes [ ]
No. [X] Type of water:
Depth of strata ft. Method of sealing strata off:

Surface casing used? Yes [X] No. [ ]
Cemented in place? Yes [ ] No [ ]

Locate well in section



LOCATION OF WELL: County Elmore
SW¼ NW¼ Sec. 3 T. 5 N/S R. 6 E/W

Size of drilled hole: 20" Total depth of well: 573 ft. Standing water level below ground: 360 Temp. Fahr. * Test delivery: 2,450 gpm or cfs Pump? [ ] Bail [ ]
Size of pump and motor used to make test:

Length of time of test: 5 Hrs. Min.
Drawdown: 89 ft. Artesian pressure: ft. above land surface Give flow cfs or gpm. Shutoff pressure:
Controlled by: Valve [ ] Cap [ ] Plug [ ]
No control [ ] Does well leak around casing? Yes [ ] No [X]

104279

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	24	Soil.	
24	46	Gray lava, hard.	
46	83	Brown lava, firm.	
83	103	Red lava, clay and cinders.	
103	117	Sandy clay.	
117	121	Sand.	
121	132	Clay.	
132	187	Gray lava, hard.	
187	194	Brown lava, firm.	
194	223	Gray lava, hard.	
223	234	Lava, cinders, clay and sand.	
234	255	Clay.	
255	304	Gray lava, hard.	
304	343	Black lava, clay and sand.	
343	370	Gravel, clay, thumb size.	
370	422	Sand, clay and peasize gravel.	
422	439	Sand and clay.	
439	447	Blue clay.	
447	499	Sandy clay, some gravel.	
499	521	Gravel and sand.	
521	545	Blue clay.	
545	567	Sand and gravel.	
567	573	Blue caly.	

Well tested at 432 ft. pumped 50"
Drilled to 573 ft. tested 24 inches

Work started: 9/5/67
Work finished: 1/15/68

Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: C. L. Hiddleston & Son
Address: Rupert, Idaho
Signed by: C. L. Hiddleston
License No. 35 Date: 2/10/68
Driller C. L. Hiddleston

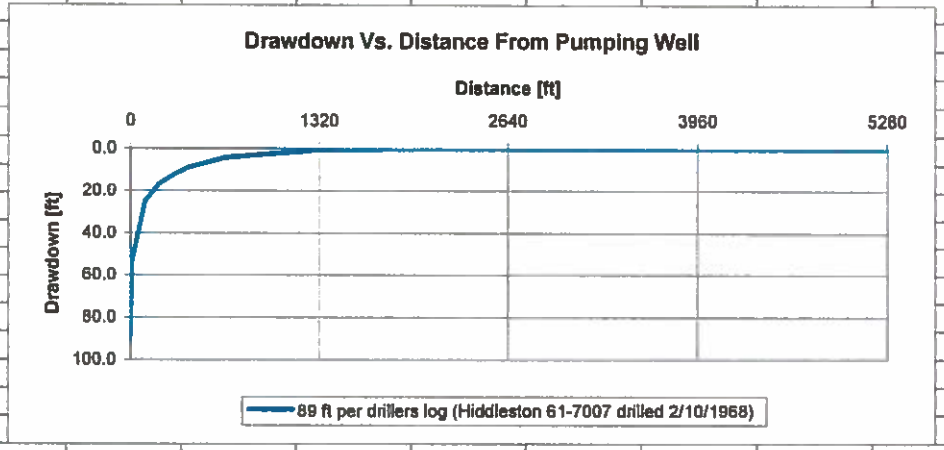
Use other side for additional remarks

USGS

Hydraulic Conductivity Estimation
(Theis Drawdown Analysis of Well Log Pump Test)

Rhead

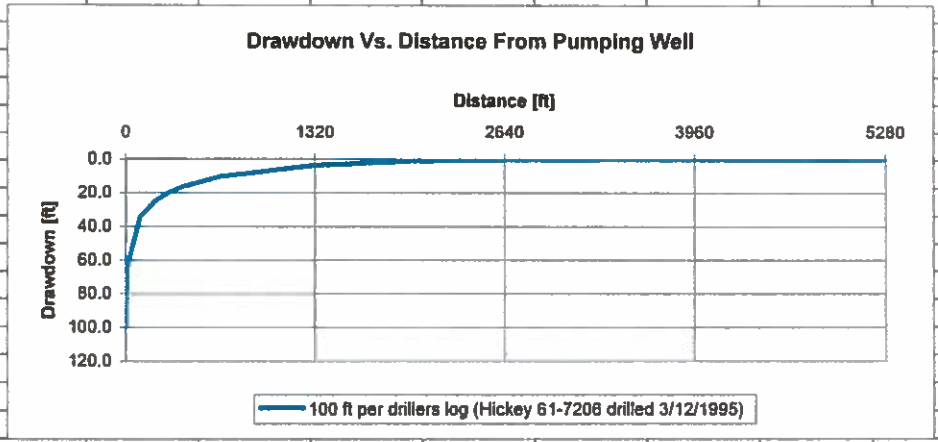
Project:	Ketterling Water Right Transfer 2008	
Location:	Bob Rhead Well	
Hydraulic Conductivity (K)	12.1	[ft/day]
Aquifer thickness (b)	500.0	[ft]
Transmissivity (T)	6031.4	[ft^2/day]
Storativity (S)	0.0051	[ft^3/ft^3]
Well Bore Diameter (r_o)	14.0	[in]
Proposed Pumping Rate (Q)	2450.0	[gpm]
	5.5	[cfs]
	471657.8	[ft^3/day]
	3952.1	[ac-ft/yr]



t [days]	0.2083333										
d [ft]		0.583333333	10	100	200	300	400	660	1320	1980	2640
u		3.45277E-07	0.000101469	0.010147	0.040588	0.091322	0.162351	0.442	1.768001	3.978002	7.072004
W(u)		14.3017178	8.618655738	4.023505	2.667269	1.905439	1.396787	0.63683	0.067741	-0.00297	-3.241515
drawdown (h_o-h)		89.0	53.6	25.0	16.6	11.9	8.7	4.0	0.4	0.0	0.0
		89 ft per drillers log (Hiddleston 61-7007 drilled 2/10/1968)									

Hydraulic Conductivity Estimation
(Theis Drawdown Analysis of Well Log Pump Test)

Project:	Ketterling Water Right Transfer 2008										
Location:	Squaw Creek Well										
Hydraulic Conductivity (K)	6.8	[ft/day]									
Aquifer thickness (b)	500.0	[ft]									
Transmissivity (T)	3379.4	[ft^2/day]									
Storativity (S)	0.0051	[ft^3/ft^3]									
Well Bore Diameter (r_0)	16.0	[in]									
Proposed Pumping Rate (Q)	1450.0	[gpm]									
	3.2	[cfs]									
	279144.4	[ft^3/day]									
	2339.0	[ac-ft/yr]									
t [days]	1.2083333										
d [ft]		0.666666667	10	100	200	300	400	660	1320	1980	2640
u		1.38771E-07	3.12236E-05	0.003122	0.012489	0.028101	0.049958	0.13601	0.54404	1.224089	2.176159
W(u)		15.21323743	9.797168108	5.195087	3.818123	3.022647	2.468719	1.549349	0.509685	0.152509	0.038419
drawdown (h_0-h)		100.0	64.4	34.1	25.1	19.9	16.2	10.2	3.4	1.0	0.3
		100 ft per drillers log (Hickey 61-7206 drilled 3/12/1995)									



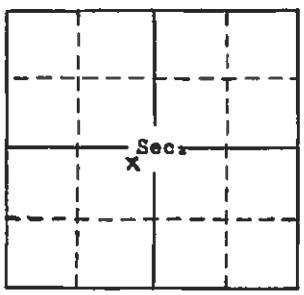
RECEIVED
1968
Department of Reclamation

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name W.D. Hennis
Address Rte. 2
Nampa, Idaho
Owner's Permit No. 61-7017
NATURE OF WORK (check): Replacement well [ ]
New well [x] Deepened [ ] Abandoned [ ]
Water is to be used for: Irrigation
METHOD OF CONSTRUCTION: Rotary [ ] Cable [x]
Dug [ ] Other _____ (explain)
CASING SCHEDULE: Threaded __ Welded __
16 "Diam. from 0 ft. to 644 ft.
12 "Diam. from 620 ft. to 720 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
Thickness of casing: ¼in. Material:
Steel [x] concrete [ ] wood [ ] other [ ]
(explain)
PERFORATED? Yes [x] No [ ] Type of perforator used: Mills perforator
Factory perforations
Size of perforations: ¼ " by "
perforations from 380 ft. to 480 ft.
perforations from 630 ft. to 670 ft.
perforations from ft. to ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes [ ] No [x]
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes [ ] No. [x] size of gravel Gravel placed from ft. to ft. Surface seal provided? Yes [ ] No [ ] To what depth? ft. Material used in seal:
Did any strata contain unusable water? Yes [ ] No. [x] Type of water:
Depth of strata ft. Method of sealing strata off:
Surface casing used? Yes [ ] No. [x]
Cemented in place? Yes [ ] No [x]

Locate well in section



LOCATION OF WELL: County Elmore
NE ¼ SE ¼ Sec. 35 T. 4S N/S R. 6E E/W

Size of drilled hole: 16 Total depth of well: 730ft Standing water level below ground: 358ft. Temp. Fahr. ° Test delivery: 1106 gpm or cfs Pump? [X] Bail [ ]
Size of pump and motor used to make test:
Length of time of test: 24 Hrs. Min.
Drawdown: 62 ft. Artesian pressure: ft. above land surface Give flow cfs or gpm. Shutoff pressure:
Controlled by: Valve [ ] Cap [ ] Plug [ ]
No control [ ] Does well leak around casing? Yes [ ] No [x]

MATERIAL 104321

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	2	top soil	
2	11	clay	
11	25	brown clay-gravel	
25	32	brown clay	
32	61	gray lava(soft)	
61	98	red lava(soft)	
98	118	red clay-lava boulders	
118	130	gray sand-sdy. clay	yes
130	154	gray sdy clay	
154	190	gray lava	
190	214	gray lava(hard)	
214	246	sdy. conglomerate	
246	260	gray lava	
260	285	gray sdy. clay-sand	
285	315	gray sand	
315	325	gray sdy. clay-sand-gravel	
325	360	gravel-sand-gray clay	
360	390	sdy. gray clay-gravel	yes
390	425	brown sand-very little gravel clay	
425	448	gray sdy. clay	
448	461	sand-very little gravel	
461	484	sand-clay	
484	497	coarse sand-some gravel	
497	533	gray sdy. clay-sand	
533	547	gray sand	yes
547	630	blue sdy. clay-gravel	yes
630	665	gray sandstone	yes
665	701	gray sandstone-clay-gravel	yes
701	708	black rhyolite	
708	730	sand and sdy. clay	yes

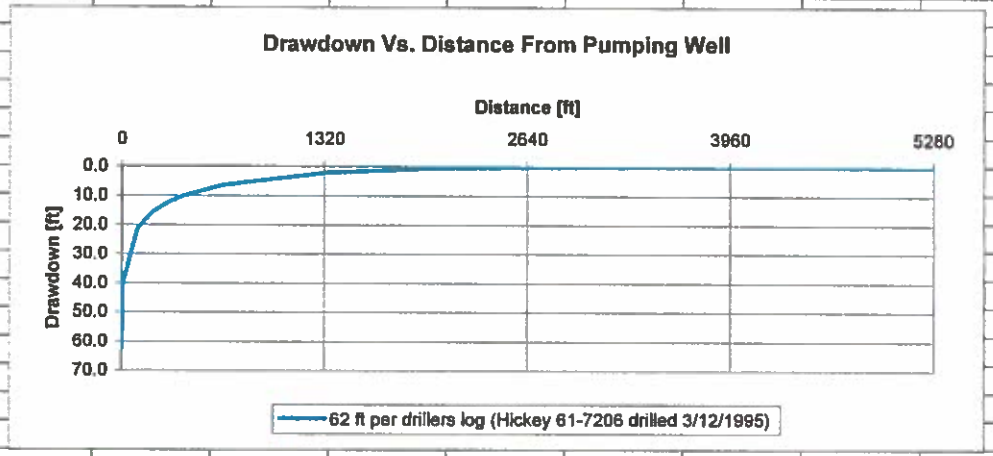
Work started: 11-11-67
Work finished: 2-1-68
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: Robert Denton
Address: Paul, Idaho
Signed by: Robert E. Denton
License No. 79 Date: 6-29-68

Use other side for additional remarks

USGS

Hydraulic Conductivity Estimation
(Theis Drawdown Analysis of Well Log Pump Test)

Project:	**Ketterling Water Right Transfer 2008**	
Location:	**Hennis Well**	
Hydraulic Conductivity (K)	8.3	[ft/day]
Aquifer thickness (b)	500.0	[ft]
Transmissivity (T)	4138.6	[ft^2/day]
Storativity (S)	0.0051	[ft^3/ft^3]
Well Bore Diameter (r_0)	**16.0**	[in]
Proposed Pumping Rate (Q)	**1100.0**	[gpm]
	2.5	[cfs]
	211764.7	[ft^3/day]
	1774.4	[ac-ft/yr]



t [days]	1										
d [ft]		0.666666667	10	100	200	300	400	660	1320	1980	2640
u		1.36921E-07	3.08073E-05	0.003081	0.012323	0.027727	0.049292	0.134197	0.536786	1.207769	2.147145
W(u)		15.22665974	9.810590006	5.208467	3.83138	3.0357	2.481491	1.561075	0.517504	0.156488	0.039965
drawdown (h_0-h)		**62.0**	39.9	21.2	15.6	12.4	10.1	6.4	2.1	0.6	0.2
		62 ft per drillers log (Hickey 61-7206 drilled 3/12/1995)									

Form 238-7
9/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name: Elwood D.Wing / Squaw Creek Farms

Address: P.O. Box 572 Mtn. Home, Ida 83647

Owner's Permit No. 61-0717

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	20 inches +	0 feet	671 feet
.250 inches	12 inches	671 feet	732 feet
inches	inches	feet	feet
inches	inches	feet	feet

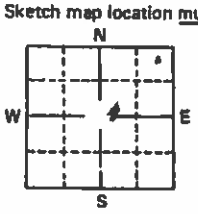
Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation 3/8 inches by 3 inches

Number	From	To
1600 perforations	430 feet	665 feet
torch perforations	690 feet	732 feet
12 in pipe perforated	6-1/8cut perforations	per foot feet

Well screen installed? ☐ Yes ☐ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from ___ feet to ___ feet
Diameter ___ Slot size ___ Set from ___ feet to ___ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
cement poured with pump base
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port 2 in pipe into casing and flush with pump pad.

6. LOCATION OF WELL

Sketch map location must agree with written location



MICROFILMED AUG 13 1990

Subdivision Name _____
Lot No. _____ Block No. _____
County _____
NE ¼ NE ¼ Sec. 35, T. 4S N/S, R. 6E E/W.

7. WATER LEVEL

Static water level 390 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow 2700
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ___ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
2700	428	48

9. LITHOLOGIC LOG 072681

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
20	0	12	top soil		x
	12	35	brown clay sand		x
	35	60	" " gravel		x
	60	83	grey basalt		x
	83	105	red cinders clay		x
	105	135	grey clay sand		x
	135	165	black basalt		x
	165	175	brown clay		x
	175	180	red cinders		x
	180	195	grey clay		x
	195	220	grey clay cinders		x
	220	240	red clay cinders		x
	240	255	black basalt		x
	255	290	brown clay cinders		x
	290	300	grey basalt		x
	300	335	red clay cinders		x
	335	345	brown clay cavey		x
	345	360	large brown cinders		x
	360	365	sand gravel	x	
	365	410	cemented sand gravel		x
	410	425	brown clay broken	x	
	425	445	sand gravel clay	x	
	445	520	grey clay		x
	520	535	gravel	x	
	535	555	brown clay		x
	555	565	clay gravel sand	x	
	565	600	grey clay & gravel	x	
	600	610	gravel course	x	
	610	625	broken clay rocks	x	
	625	640	gravel sand good	x	
	640	650	stickey grey clay		x
	650	670	brown clay gravel	x	
	670	715	grey clay		x
	715	732	sand pea gravel	x	
			sea shells		

10.

Work started 2-4-89 finished 5-24-89

11. DRILLERS CERTIFICATION OL

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Carl Hickey well drilling Firm No. 160

Address Box 243 Mtn Home Date 7-9-89

Signed by (Firm Official) Carl Hickey

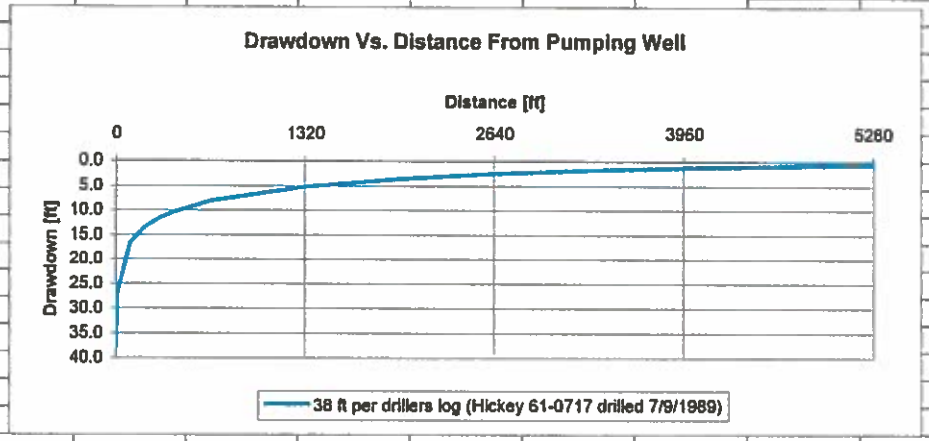
and

(Operator) _____

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

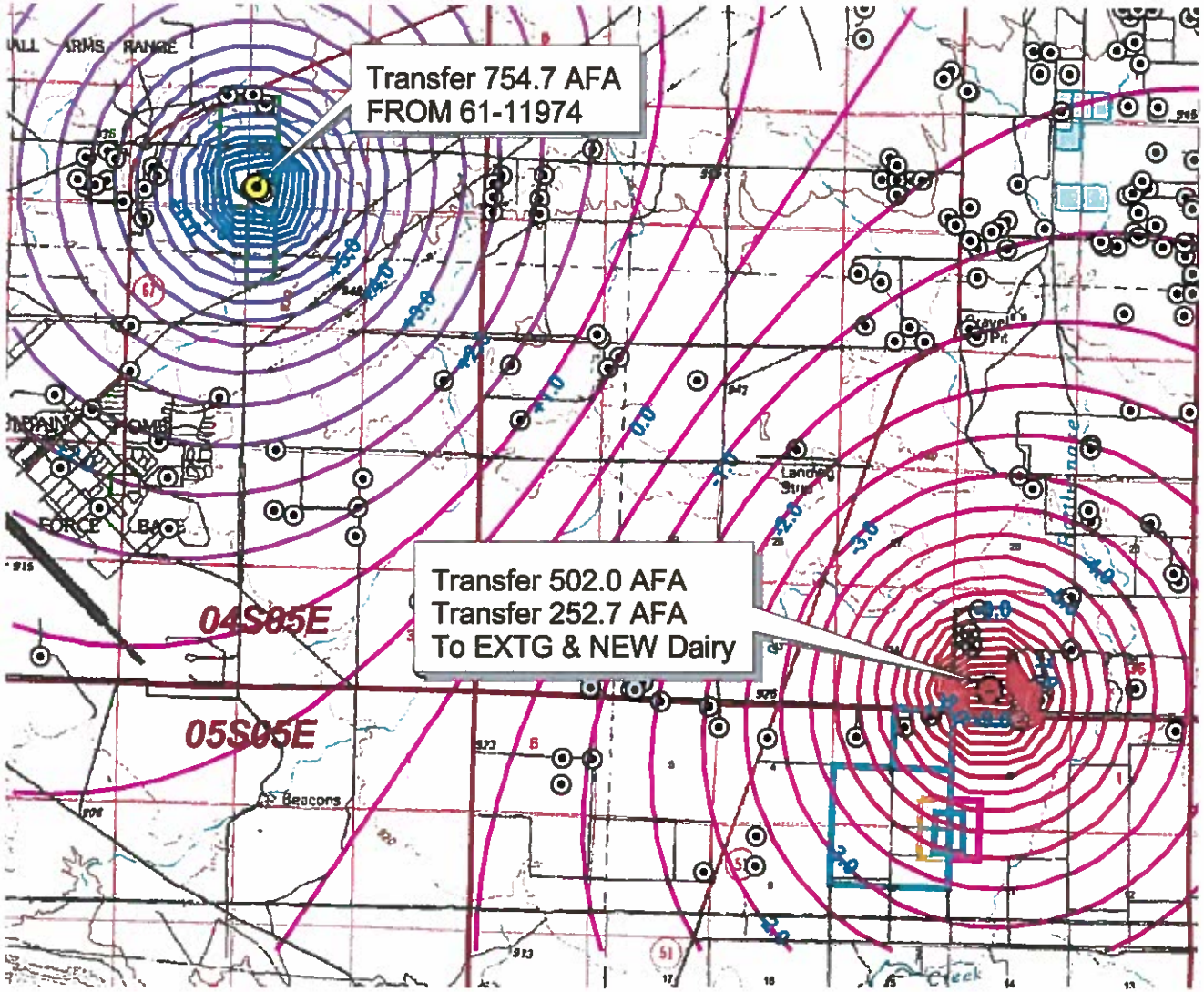
Hydraulic Conductivity Estimation
(Theis Drawdown Analysis of Well Log Pump Test)

Project:	Ketterling Water Right Transfer 2008	
Location:	Elwood Wing Well	
Hydraulic Conductivity (K)	36.9	[ft/day]
Aquifer thickness (b)	500.0	[ft]
Transmissivity (T)	18471.3	[ft^2/day]
Storativity (S)	0.0051	[ft^3/ft^3]
Well Bore Diameter (r_0)	20.0	[in]
Proposed Pumping Rate (Q)	2700.0	[gpm]
	6.0	[cfs]
	519786.1	[ft^3/day]
	4355.4	[ac-ft/yr]



t [days]	2										
d [ft]		0.833333333	10	100	200	300	400	660	1320	1980	2640
u		2.39674E-08	3.4513E-06	0.000345	0.001381	0.003106	0.005522	0.015034	0.060135	0.135305	0.240542
W(u)		16.96937226	11.99956239	7.394734	6.009474	5.200268	4.627314	3.635227	2.293198	1.553887	1.074477
drawdown (h_0-h)		38.0	26.9	16.6	13.5	11.6	10.4	8.1	5.1	3.5	2.4
		38 ft per drillers log (Hickey 61-0717 drilled 7/9/1989)									

Calculated Water Table Change After 1 Year
Ketterling Dairy Transfers 2008



2006 NAIP Aerial Photo

- Water Right POD
- From Well (61-11974)
- To Well

Extg Ketterling Water Rights
- 61-10658
- 61-10662
- 61-10663
- 61-11975

- 61-11974

- PLSS Township Boundaries
- PLSS Section Lines

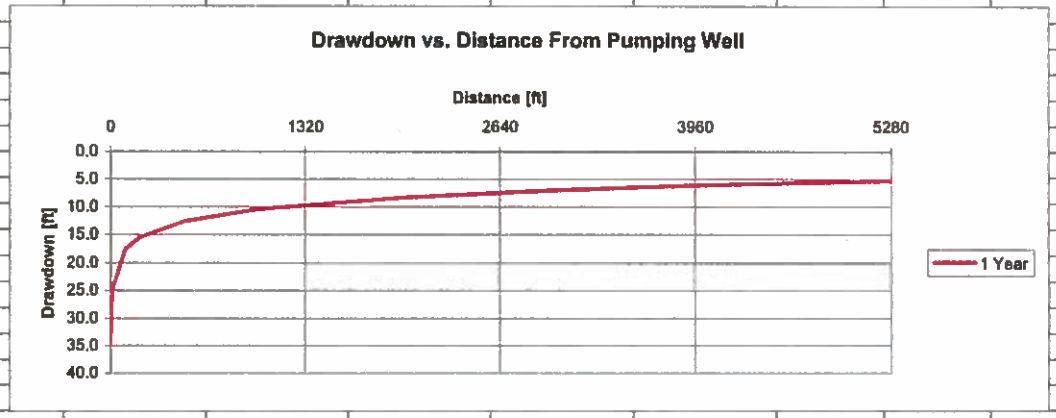
1 0 1 2 3 4 5 Miles

THOMPSON ENGINEERING, INC.
Consulting Engineers and Professional Land Surveyors
(208-745-8771)

JCH - December 10, 2008

Theis Drawdown Analysis
(Ketterling Water Right Transfer, 2008)

Project:	Terry & Linda Ketterling Transfer Impact Analysis	
Location:	Proposed New Well	
Designer:	Jason C. Helms, P.E.	
Hydraulic Conductivity (K)	9.1	[ft/day]
Aquifer thickness (b)	500.0	[ft]
Transmissivity (T)	4550.0	[ft^2/day]
Storativity (S)	0.0051	[ft^3/ft^3]
Well Bore Diameter (r_o)	12.0	[in]
Proposed Pumping Rate (Q)	467.9	[gpm]
	1.04	[cfs]
	90067.8	[ft^3/day]
	754.7	[ac-ft/yr]



t [days]	365	1 Year									
d [ft]		0.5	10	100	200	500	1000	2000	3000	4000	5000
u		1.91931E-10	7.67725E-08	7.67725E-06	3.0709E-05	0.000191931	0.000767725	0.003070902	0.00691	0.012284	0.019193
W(u)		21.79668333	15.80521886	11.20005627	9.813784942	7.981364691	6.595645986	5.211652593	4.404551	3.834536	3.395104
drawdown (h_o-h)		34.3	24.9	17.6	15.5	12.6	10.4	8.2	6.9	6.0	5.3

THOMPSON ENGINEERING, INC.
Consulting Engineers and Professional Land Surveyors
(208-745-8771)