

APR 21 2016DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80869**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Cody D Morgan; ~~Gathy~~ J Morgan KathyCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes ☒ N/A ☐ * Means the item is always required and must be included with the application.

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

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

RECEIVED

APR 21 2016

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

**RIVERVIEW RANCH STOCKWATER AND COMMERCIAL
TRANSFER**

Cody and ~~Cathy~~ Morgan

Kathy

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR 27 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Cody G. Morgan; Kathy J. Morgan Phone (208) 438-8159
Mailing address 756 S, 2800 E, Hazelton, ID 83335 Email _____

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

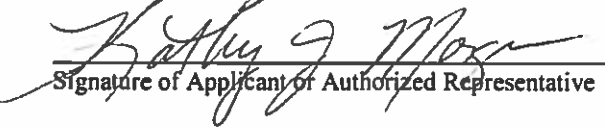
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Hattie Zobott Phone 736-8543
Mailing address Brockway Engineering 2016 Washington St. N., Ste 4 Twin Falls, 83301 Email hattie.zobott@brockwayeng.c

- ☐ 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.

<u></u> Signature of Applicant or Authorized Representative	<u>Cody G. Morgan</u> Print Name and Title if applicable	<u>4-19-16</u> Date
<u></u> Signature of Applicant or Authorized Representative	<u>Kathy J Morgan</u> Print Name and Title if applicable	<u>4-19-16</u> Date

A. PURPOSE OF TRANSFER

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

The applicant seeks to transfer a portion of their irrigation water rights from a farm to a separate calf rearing operation.

- AMENDED -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 21 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Cody D Morgan; Kathy J Morgan Phone (208) 438-8159

Mailing address 756 S Hazelton, ID 83335 Email _____

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- ☐ 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.

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Name of Representative Hattie Zobott Phone 738-8543

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OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of Applicant or Authorized Representative

Cody G Morgan
Print Name and Title if applicable

4-19-16
Date

[Signature]
Signature of Applicant or Authorized Representative

Kathy J Morgan
Print Name and Title if applicable

4-19-16
Date

A. PURPOSE OF TRANSFER

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

Transfer a portion of irrigation water rights from a farm near the calf operation and change the purpose to from
irrigation to stockwater/commercial use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
			1 B for Additional WRs	_____ to _____	_____
				_____ to _____	_____
				_____ to _____	_____
				_____ to _____	_____
				_____ to _____	_____
				_____ to _____	_____
				_____ to _____	_____
				_____ to _____	_____
				_____ to _____	_____

Total authorized under rights 5.76 cfs and/or 1562.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.08 cubic feet per second and/or 17.1 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SE	NE	21	10S	22E	Jerome	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	
10S	21E	22			S/C	S/C									S/C	S/C			
Total Acres (for irrigation use)																			0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
			1 B for Additional WRs	to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	

Total authorized under rights 5.76 cfs and/or 1862.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.08 cubic feet per second and/or 17.1 acre-feet per year.

3. Point(s) of Diversion:

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- ☒ 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 #
Y			SE	NE	21	18S	22E	Jerome	GroundWater	
					22		21E			

per email: phone conversation with Katie on 5-10-16

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	21E	22				S/C									S/C				
Total Acres (for irrigation use)																			0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF A WATER RIGHT

Supplemental Page for Description of Rights after Transfer**

[illegible]

Total authorized under rights 5.76 cfs and/or 1,562 ac-ft

****Insert this page into Part 1B of the Application for Transfer of a Water Right.**

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:

Applicant will install a flowmeter on stockwater/commercial operations to monitor diversions therein.

- b. Who owns the property at the point(s) of diversion? Wayne and Heather Brown--See Attachment #7

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
The applicant leases the farm from the property owner. The applicant and property owner have an agreement that the water rights will be retained by applicant, but the Place of Use will be on the property owned by Brown.

- 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: Farm Credit Services

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

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

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
A proportional reduction in irrigation at the original POU for the water rights will account for the change in purpose of use.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
See 5f.1

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

Yes No

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

If yes, describe:

Conditions of Approval:

1. 131 Prior to the diversion and use of water under Transfer approval 70375, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
5. X61 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 September 20, 2003 (Transfer 70375 approval date).
6. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. X35 Rights 36-16407, 36-16409, and 36-16411 when combined shall not exceed a total annual maximum diversion volume of 1562.0 af at the field headgate, and the irrigation of 390.5 acres.
8. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
9. 052 Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
10. T20 Approval of Transfer 72741 does not confirm the validity of this water right.
11. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
12. T07 The right holder shall accomplish the change authorized by Transfer 70375 within one (1) year of the date of the Transfer 70375 approval.
13. X36 Rights 36-16409 and 36-16411 are also diverted through the point of diversion described above.

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

Current Water Right No.: 36-16409

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 2/6/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.2 CFS	585.6 AF
	<u>Total Diversion</u>	1.2 CFS	585.6 AF

Location of Point(s) of Diversion

GROUND WATER
JEROME County

NE 1/4 SW 1/4 NW 1/4 Sec. 26, Twp 09S, Rge 21E B.M.

Place of Use

IRRIGATION Within JEROME County

T09S R21E S23	SWSW	36.00	T09S R21E S23	SESW	35.00
T09S R21E S23	SWSE	11.00	T09S R21E S23	SESE	9.00
T09S R21E S26	NENE	40.00	T09S R21E S26	NWNE	40.00
T09S R21E S26	SWNE	40.00	T09S R21E S26	SENE	39.00
T09S R21E S26	NENW	40.00	T09S R21E S26	NWNW	34.00
T09S R21E S26	SWNW	15.00	T09S R21E S26	SENW	37.00
T09S R21E S26	NESW	7.50	T09S R21E S26	NWSE	7.00

Total Acres: 390.5

Conditions of Approval:

1. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. X35 Rights 36-16407, 36-16409, and 36-16411 when combined shall not exceed a total annual maximum diversion volume of 1562.0 af at the field headgate, and the irrigation of 390.5 acres.
3. 131 Prior to the diversion and use of water under Transfer approval 70375, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. T07 The right holder shall accomplish the change authorized by Transfer 70375 within one (1) year of the date of the Transfer 70375 approval.
7. X36 Rights 36-16407 and 36-16411 are also diverted through the point of diversion described above.
8. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
9. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. 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: 8/27/2001

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

Current Water Right No.: 36-16411

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 3/11/1954

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

3.03 CFS

3.03 CFS

Annual Volume

1098.8 AF

1098.8 AF

Location of Point(s) of Diversion

GROUND WATER

JEROME County

NE 1/4 SW 1/4 NW 1/4

Sec. 26, Twp 09S, Rge 21E B.M.

Place of Use

IRRIGATION Within JEROME County

T09S R21E S23	SWSW	36.00	T09S R21E S23	SESW	35.00
T09S R21E S23	SWSE	11.00	T09S R21E S23	SESE	9.00
T09S R21E S26	NENE	40.00	T09S R21E S26	NWNE	40.00
T09S R21E S26	SWNE	40.00	T09S R21E S26	SENE	39.00
T09S R21E S26	NENW	40.00	T09S R21E S26	NWNW	34.00
T09S R21E S26	SWNW	15.00	T09S R21E S26	SENW	37.00
T09S R21E S26	NESW	7.50	T09S R21E S26	NWSE	7.00

Total Acres: 390.5

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. X36 Rights 36-16407 and 36-16409 are also diverted through the point of diversion described above.
3. T07 The right holder shall accomplish the change authorized by Transfer 70375 within one (1) year of the date of the Transfer 70375 approval.
4. X27 This right is limited to the irrigation of 274.7 acres within the place of use described above in a single irrigation season.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
7. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. 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.
9. 131 Prior to the diversion and use of water under Transfer approval 70375, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. X35 Rights 36-16407, 36-16409, and 36-16411 when combined shall not exceed a total annual maximum diversion volume of 1562.0 af at the field headgate, and the irrigation of 390.5 acres.
11. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Decreed Date: 8/27/2001

Total Acres (for irrigation use) 390.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

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.

Right Number: 36-16407

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

Total Acres (for irrigation use)	390.5
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Total Acres (for irrigation use)	390.5
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Page ~~6~~ 16

5f.1

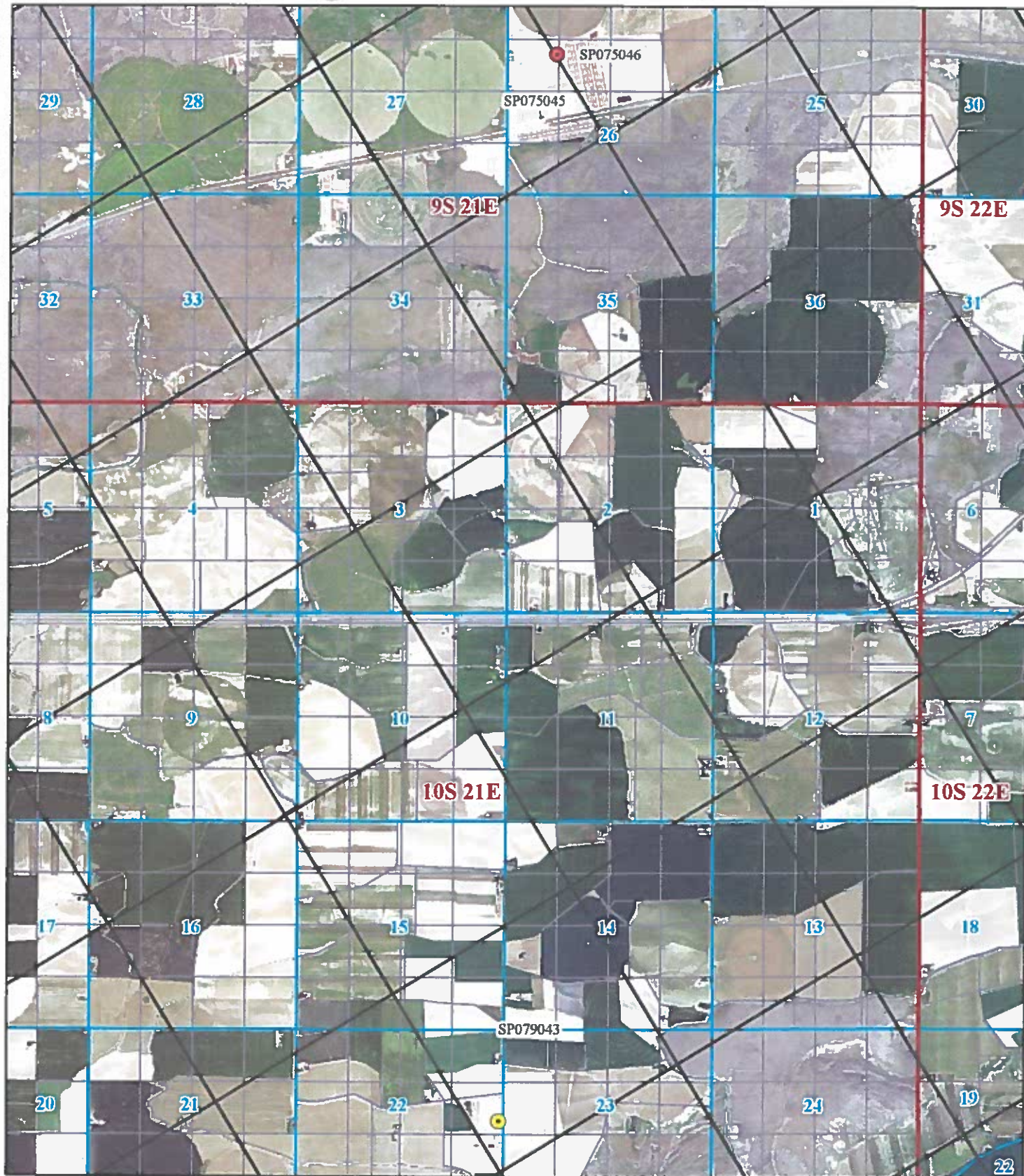
Proposed Place of Use/New Point of Diversion:

There is a domestic/stockwater right, 36-14878, owned by the property owner and used to water calves on the proposed property. One additional point of diversion will be added and used to deliver additional water as outlined in the transfer.

Existing Place of Use/Accompanying Transfer:

Water use at existing location includes Domestic/Stockwater/Commercial, Stockwater, Stockwater/Commercial, and Irrigation: 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16408, 36-16410, 36-16410, 36-16412, 36-16412, 36-16407, 36-16409, 36-16411 for S/C/D and I. The points of diversion at the existing location will remain unchanged.

Attachment 5
ESPA Analysis



0 0.25 0.5 1 Miles

ARLEN, MORGAN
WELLS LOCATIONS IN ESPA
NAIP 2015 AERIAL

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 4/14/2016

Legend

- NEW WELL
- Ext'g Irrigation Well
- Model Grid
- twnshp
- Sections
- ladesec



Mitigation Analysis Period

Transferor:

Transferor: 1 2 Transferor):
Annals: AFI:

One-Way Analysis of Independent Transfers

Transfer 1:

Morgan Transfer of 17.1 Acre-Feet

100.0% Pre-SS 17.100 AFA 5.6 Acres
100.0% Post-SS 17.100 AFA 5.6 Acres

WR No	Dry Rate (CFS)	Con Vol (AFA)	No of Irr Acres	Priority Date	POD Location	Dedicated Vol AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
74043							
67049							
Transfer: Worst Case Transient State Impacts following Transfer							
74043							
67049							

Impact by Reach (AF/Trimester)

Ashton to Rexburg	Hesse to Shelley	Shelley to Nr Blackft	Nr Blackft to Neeley	Neeley to Mendoka	Dev Wbl to Buhl	Buhl to 1000 Spr	1000 Spr to Maled	Maled to	Maled to Bancroft	
0.03	0.04	0.27	0.94	0.25	1.93	0.97	0.62	0.07	0.56	0.02
0.02	0.02	0.18	0.62	0.17	3.03	0.63	0.48	0.05	0.31	0.01
0.03	0.04	0.27	0.94	0.25	1.93	0.97	0.62	0.07	0.56	0.02
0.03	0.03	0.23	0.79	0.21	3.14	0.89	0.52	0.05	0.35	0.01

Steady State Analysis

Mitigation Check 1 - >10% of Historical	-34.1%	-34.1%	-34.2%	-34.2%	-33.5%	-14.7%	-22.8%	-32.3%	-45.7%	-48.3%
Mitigation Check 2 - > 2 AFT	0.0	0.0	-0.1	-0.3	-0.1	1.1	-0.1	-0.1	0.0	-0.3
Mitigation Check 3 - >10% of Total	0.4%	0.4%	3.1%	19.8%	2.9%	52.1%	14.8%	8.4%	0.6%	5.3%
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	-0.1	-0.3	-0.1	1.1	-0.1	-0.1	0.0	-0.3

Transient State Analysis

Mitigation Check 1 - >10% of Historical	-18.9%	-17.8%	-16.0%	-15.6%	-16.2%	62.8%	-8.7%	-16.5%	-25.4%	-37.8%
Mitigation Check 2 - > 2 AFT	0.0	0.0	0.0	-0.1	0.0	1.2	-0.1	-0.1	0.0	-0.2
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	-0.1	0.0	1.2	-0.1	-0.1	0.0	-0.2

Head Me

Transfer 2:

WR No	Dry Rate (CFS)	Con Vol (AFA)	No of Irr Acres	Priority Date	POD Location	Dedicated Vol AFA/ AFT	Model Node
Transfer: Proposed Steady State Impacts following Transfer							
73045							
67049							
Transfer 1: Worst Case Transient State Impacts following Transfer							
73045							
67049							

Impact by Reach (AF/Trimester)

Ashton to Rexburg	Hesse to Shelley	Shelley to Nr Blackfoot	Nr Blackfoot to Neeley	Neeley to Mendoka	Dev. Wbl To Buhl	Buhl to 1000 Spr	1000 Spr to Maled	Maled	Maled to Bancroft
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Steady State Analysis

Mitigation Check 1 - >10% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2 - > 2 AFT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2 - > 2 AFT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transfer 3:

WR No	Dry Rate (CFS)	Con Vol (AFA)	No of Irr Acres	Priority Date	POD Location	Dedicated Vol AFA/ AFT	Model Node
Transfer: Proposed Steady State Impacts following Transfer							
71072							
67049							
Transfer: Worst Case Transient State Impacts following Transfer							
71072							
67049							

Impact by Reach (AF/Trimester)

Ashton to Rexburg	Hesse to Shelley	Shelley to Nr Blackft	Nr Blackft To Neeley	Neeley to Mendoka	Dev Wbl To Buhl	Buhl to Kopr	Kopr to Maled	Maled to Bancroft
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Steady State Analysis

Mitigation Check 1 - >10% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2 - > 2 AFT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Carry out one way analysis. If reach depletions go up, it is a debit, if they go down, it is a credit. Sum all debits, only where mitigation is required (dark yellow), and all credits (light yellow). Mitigation is required for the full amount of the summed values if greater than zero.

Steady State Summary of Modified Stream Depletions Following Transfer(s)
Impact by Reach (AF/Triester)

	Arlton to Rexburg	Hesse to Shelley	Shelley to N. Bickft	N. Bickft To Nesley	Nesley to Mudchla	Dev. Wht. To Buhl	Buhl to 1000 Spr	1000 Spr to 1000 Spr to Mead	Mead to Bancroft	
1	0.0	0.0	-0.1	-0.3	-0.1	1.1	-0.1	0.0	-0.3	0.0
2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

RECEIVED

MAY 16 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Evaluation of overall mitigation requirements per reach Steady State and Transient State, and Off-Setting Benefits (Sum of reach debits only where mitigation is required and credits)

Carry out one way analysis. If reach depletions go up, it is a debit, if they go down, it is a credit. Sum all debits, only where mitigation is required (dark yellow), and all credits (light yellow). Mitigation is required for the full amount of the summed values if greater than zero.

Steady state analysis represents permanent mitigation requirements at future steady state (or last timestep from the ESPAM Transfer Tool model run).

Transient state analysis represents mitigation requirements for the worst or maximum time step in the model run.

Evaluation of transient state mitigation requirement is not comprehensive across all time steps. Instead this evaluation finds the maximum stream depletion following the start of the transfer and looks at depletion amounts from that time step. In many instances this depletion is greater than the depletion associated with the steady state condition or final time step. This evaluation is merely an indicator of whether transient depletions must be considered, not an indicator of all transient impacts.

Steady State Summary of Modified Stream Depletions Following Transfer(s)											
Impact by Reach (AF/Annum)											
Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft	
1	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	
2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
10	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
11	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
12	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
13	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
14	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
15	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
16	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
17	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
18	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
19	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Summary:	0.0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	

Transient State Summary of Modified Stream Depletions Following Transfer(s)											
Impact by Reach (AF/Annum)											
Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft	
1	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	
2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
10	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
11	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
12	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
13	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
14	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
15	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
16	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
17	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
18	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
19	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	

Mitigation Analysis Period

Annual

One-Way Analysis of Independent Transfers

New Water Right (GModel):

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
							SP074043
							SP067049
Transfer 1: Worst Case Transient State Impacts following Transfer							
0	0	0	0	1/0/1900	0	0 0	SP074043
0	0	0	0	1/0/1900	0	0 0	SP068066

Impact by Reach (AF/Annum)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blackfoot	Nr Blackfoot to Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
Pre-SS	0.06	0.18	0.53	1.69	0.09	1.05	0.94	0.42	0.26	0.24
Post-SS	0.06	0.16	0.49	1.55	0.09	1.16	0.99	0.44	0.27	0.25
Pre-TS	0.06	0.18	0.53	1.69	0.09	1.05	0.94	0.42	0.26	0.24
Post-TS	0.06	0.17	0.53	1.67	0.09	1.16	0.99	0.44	0.27	0.25

Steady State Analysis

Mitigation Check 1 - >10% of Historical:	-8.4%	-8.4%	-8.4%	-9.4%	-5.6%	9.7%	4.8%	4.7%	4.7%	4.6%	4.4%
Mitigation Check 2 - > 6 AF/A:	0.0	0.0	0.0	-0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total:	1.0%	3.0%	6.9%	26.3%	1.6%	21.2%	18.1%	8.0%	5.0%	4.6%	0.3%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	-0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical:	-4.1%	-2.1%	-1.2%	-1.1%	-0.6%	9.7%	4.8%	4.7%	4.7%	4.6%	4.4%
Mitigation Check 2 - > 6 AF/A:	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0

Read Me

ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPT

Cells this color are
set up for user entries

ENTER STARTING DATE FOR

SIMULATION. THEN PUSH

"UPDATE DATES" BUTTO

YEAR

1950

TRANSFER NAME:

SEASON

SPRING

Morgan, Crestvie



ENTER CELL LOCATIONS:

	TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL		
ROW	79	75			36-16407	0.4
COLUMN	43	46			36-16409	5.8
					36-16411	10.9

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1950	0	0	0	0	0	0	0
SUM 1950	0	0	0	0	0	0	0
WIN 1950	0	0	0	0	0	0	0
SPR 1951	0	0	0	0	0	0	0
SUM 1951	0	0	0	0	0	0	0
WIN 1951	0	0	0	0	0	0	0
SPR 1952	0	0	0	0	0	0	0
SUM 1952	0	0	0	0	0	0	0
WIN 1952	0	0	0	0	0	0	0
SPR 1953	0	0	0	0	0	0	0
SUM 1953	0	0	0	0	0	0	0
WIN 1953	0	0	0	0	0	0	0
SPR 1954	0	4	4	0	0	0	0
SUM 1954	0	4	4	0	0	0	0
WIN 1954	0	4	4	0	0	0	0
SPR 1955	0	4	4	0	0	0	0
SUM 1955	0	4	4	0	0	0	0
WIN 1955	0	4	4	0	0	0	0
SPR 1956	0	4	4	0	0	0	0
SUM 1956	0	4	4	0	0	0	0
WIN 1956	0	4	4	0	0	0	0
SPR 1957	0	4	4	0	0	0	0
SUM 1957	0	4	4	0	0	0	0
WIN 1957	0	4	4	0	0	0	0
SPR 1958	0	4	4	0	0	0	0
SUM 1958	0	4	4	0	0	0	0
WIN 1958	0	4	4	0	0	0	0
SPR 1959	0	4	4	0	0	0	0
SUM 1959	0	4	4	0	0	0	0
WIN 1959	0	4	4	0	0	0	0
SPR 1960	0	4	4	0	0	0	0
SUM 1960	0	4	4	0	0	0	0
WIN 1960	0	4	4	0	0	0	0
SPR 1961	0	6	6	0	0	0	0
SUM 1961	0	6	6	0	0	0	0
WIN 1961	0	6	6	0	0	0	0
SPR 1962	0	6	6	0	0	0	0
SUM 1962	0	6	6	0	0	0	0
WIN 1962	0	6	6	0	0	0	0
SPR 1963	0	6	6	0	0	0	0
SUM 1963	0	6	6	0	0	0	0

WIN 1963	0	6	6	0	0	0	0
SPR 1964	0	6	6	0	0	0	0
SUM 1964	0	6	6	0	0	0	0
WIN 1964	0	6	6	0	0	0	0
SPR 1965	0	6	6	0	0	0	0
SUM 1965	0	6	6	0	0	0	0
WIN 1965	0	6	6	0	0	0	0
SPR 1966	0	6	6	0	0	0	0
SUM 1966	0	6	6	0	0	0	0
WIN 1966	0	6	6	0	0	0	0
SPR 1967	0	6	6	0	0	0	0
SUM 1967	0	6	6	0	0	0	0
WIN 1967	0	6	6	0	0	0	0
SPR 1968	0	6	6	0	0	0	0
SUM 1968	0	6	6	0	0	0	0
WIN 1968	0	6	6	0	0	0	0
SPR 1969	0	6	6	0	0	0	0
SUM 1969	0	6	6	0	0	0	0
WIN 1969	0	6	6	0	0	0	0
SPR 1970	0	6	6	0	0	0	0
SUM 1970	0	6	6	0	0	0	0
WIN 1970	0	6	6	0	0	0	0
SPR 1971	0	6	6	0	0	0	0
SUM 1971	0	6	6	0	0	0	0
WIN 1971	0	6	6	0	0	0	0
SPR 1972	0	6	6	0	0	0	0
SUM 1972	0	6	6	0	0	0	0
WIN 1972	0	6	6	0	0	0	0
SPR 1973	0	6	6	0	0	0	0
SUM 1973	0	6	6	0	0	0	0
WIN 1973	0	6	6	0	0	0	0
SPR 1974	0	6	6	0	0	0	0
SUM 1974	0	6	6	0	0	0	0
WIN 1974	0	6	6	0	0	0	0
SPR 1975	0	6	6	0	0	0	0
SUM 1975	0	6	6	0	0	0	0
WIN 1975	0	6	6	0	0	0	0
SPR 1976	0	6	6	0	0	0	0
SUM 1976	0	6	6	0	0	0	0
WIN 1976	0	6	6	0	0	0	0
SPR 1977	0	6	6	0	0	0	0
SUM 1977	0	6	6	0	0	0	0
WIN 1977	0	6	6	0	0	0	0
SPR 1978	0	6	6	0	0	0	0
SUM 1978	0	6	6	0	0	0	0
WIN 1978	0	6	6	0	0	0	0
SPR 1979	0	6	6	0	0	0	0
SUM 1979	0	6	6	0	0	0	0
WIN 1979	0	6	6	0	0	0	0
SPR 1980	0	6	6	0	0	0	0
SUM 1980	0	6	6	0	0	0	0
WIN 1980	0	6	6	0	0	0	0
SPR 1981	0	6	6	0	0	0	0
SUM 1981	0	6	6	0	0	0	0
WIN 1981	0	6	6	0	0	0	0
SPR 1982	0	6	6	0	0	0	0
SUM 1982	0	6	6	0	0	0	0
WIN 1982	0	6	6	0	0	0	0
SPR 1983	0	6	6	0	0	0	0
SUM 1983	0	6	6	0	0	0	0
WIN 1983	0	6	6	0	0	0	0
SPR 1984	0	6	6	0	0	0	0
SUM 1984	0	6	6	0	0	0	0
WIN 1984	0	6	6	0	0	0	0
SPR 1985	0	6	6	0	0	0	0
SUM 1985	0	6	6	0	0	0	0
WIN 1985	0	6	6	0	0	0	0
SPR 1986	0	6	6	0	0	0	0
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WIN 1986	0	6	6	0	0	0	0
SPR 1987	0	6	6	0	0	0	0
SUM 1987	0	6	6	0	0	0	0
WIN 1987	0	6	6	0	0	0	0
SPR 1988	0	6	6	0	0	0	0

SUM 1988	0	6	6	0	0	0	0
WIN 1988	0	6	6	0	0	0	0
SPR 1989	0	6	6	0	0	0	0
SUM 1989	0	6	6	0	0	0	0
WIN 1989	0	6	6	0	0	0	0
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SUM 1990	0	6	6	0	0	0	0
WIN 1990	0	6	6	0	0	0	0
SPR 1991	0	6	6	0	0	0	0
SUM 1991	0	6	6	0	0	0	0
WIN 1991	0	6	6	0	0	0	0
SPR 1992	0	6	6	0	0	0	0
SUM 1992	0	6	6	0	0	0	0
WIN 1992	0	6	6	0	0	0	0
SPR 1993	0	6	6	0	0	0	0
SUM 1993	0	6	6	0	0	0	0
WIN 1993	0	6	6	0	0	0	0
SPR 1994	0	6	6	0	0	0	0
SUM 1994	0	6	6	0	0	0	0
WIN 1994	0	6	6	0	0	0	0
SPR 1995	0	6	6	0	0	0	0
SUM 1995	0	6	6	0	0	0	0
WIN 1995	0	6	6	0	0	0	0
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WIN 1996	0	6	6	0	0	0	0
SPR 1997	0	6	6	0	0	0	0
SUM 1997	0	6	6	0	0	0	0
WIN 1997	0	6	6	0	0	0	0
SPR 1998	0	6	6	0	0	0	0
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WIN 1998	0	6	6	0	0	0	0
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WIN 2000	0	6	6	0	0	0	0
SPR 2001	0	6	6	0	0	0	0
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WIN 2001	0	6	6	0	0	0	0
SPR 2002	0	6	6	0	0	0	0
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WIN 2004	0	6	6	0	0	0	0
SPR 2005	0	6	6	0	0	0	0
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WIN 2005	0	6	6	0	0	0	0
SPR 2006	0	6	6	0	0	0	0
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WIN 2006	0	6	6	0	0	0	0
SPR 2007	0	6	6	0	0	0	0
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WIN 2007	0	6	6	0	0	0	0
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WIN 2008	0	6	6	0	0	0	0
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WIN 2009	0	6	6	0	0	0	0
SPR 2010	0	6	6	0	0	0	0
SUM 2010	0	6	6	0	0	0	0
WIN 2010	0	6	6	0	0	0	0
SPR 2011	0	6	6	0	0	0	0
SUM 2011	0	6	6	0	0	0	0
WIN 2011	0	6	6	0	0	0	0
SPR 2012	0	6	6	0	0	0	0
SUM 2012	0	6	6	0	0	0	0
WIN 2012	0	6	6	0	0	0	0

SPR 2013	0	6	6	0	0	0	0
SUM 2013	0	6	6	0	0	0	0
WIN 2013	0	6	6	0	0	0	0
SPR 2014	0	6	6	0	0	0	0
SUM 2014	0	6	6	0	0	0	0
WIN 2014	0	6	6	0	0	0	0
SPR 2015	0	6	6	0	0	0	0
SUM 2015	0	6	6	0	0	0	0
WIN 2015	0	6	6	0	0	0	0
SPR 2016	0	6	6	0	0	0	0
SUM 2016	6	0	6	0	0	0	0
WIN 2016	6	0	6	0	0	0	0
SPR 2017	6	0	6	0	0	0	0
SUM 2017	6	0	6	0	0	0	6
WIN 2017	6	0	6	0	0	0	0
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WIN 2018	6	0	6	0	0	0	0
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WIN 2019	6	0	6	0	0	0	0
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SUM 2020	6	0	6	0	0	0	0
WIN 2020	6	0	6	0	0	0	0
SPR 2021	6	0	6	0	0	0	0
SUM 2021	6	0	6	0	0	0	0
WIN 2021	6	0	6	0	0	0	0
SPR 2022	6	0	6	0	0	0	0
SUM 2022	6	0	6	0	0	0	0
WIN 2022	6	0	6	0	0	0	0
SPR 2023	6	0	6	0	0	0	0
SUM 2023	6	0	6	0	0	0	0
WIN 2023	6	0	6	0	0	0	0
SPR 2024	6	0	6	0	0	0	0
SUM 2024	6	0	6	0	0	0	0
WIN 2024	6	0	6	0	0	0	0
SPR 2025	6	0	6	0	0	0	0
SUM 2025	6	0	6	0	0	0	0
WIN 2025	6	0	6	0	0	0	0
SPR 2026	6	0	6	0	0	0	0
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WIN 2026	6	0	6	0	0	0	0
SPR 2027	6	0	6	0	0	0	0
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WIN 2027	6	0	6	0	0	0	0
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SUM 2028	6	0	6	0	0	0	0
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WIN 2033	6	0	6	0	0	0	0
SPR 2034	6	0	6	0	0	0	0
SUM 2034	6	0	6	0	0	0	0
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WIN 2035	6	0	6	0	0	0	0
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WIN 2036	6	0	6	0	0	0	0
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WIN 2038	6	0	6	0	0	0	0
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WIN 2048	6	0	6	0	0	0	0
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SUM 2049	6	0	6	0	0	0	0
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SPR 2053	6	0	6	0	0	0	0
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WIN 2074	6	0	6	0	0	0	0
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WIN 2075	6	0	6	0	0	0	0
SPR 2076	6	0	6	0	0	0	0
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WIN 2080	6	0	6	0	0	0	0
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WIN 2083	6	0	6	0	0	0	0
SPR 2084	6	0	6	0	0	0	0
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WIN 2085	6	0	6	0	0	0	0
SPR 2086	6	0	6	0	0	0	0
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WIN 2086	6	0	6	0	0	0	0

SPR 2087	6	0	6	0	0	0	0
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WIN 2087	6	0	6	0	0	0	0
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SPR 2089	6	0	6	0	0	0	0
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WIN 2089	6	0	6	0	0	0	0
SPR 2090	6	0	6	0	0	0	0
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WIN 2090	6	0	6	0	0	0	0
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SUM 2092	6	0	6	0	0	0	0
WIN 2092	6	0	6	0	0	0	0
SPR 2093	6	0	6	0	0	0	0
SUM 2093	6	0	6	0	0	0	0
WIN 2093	6	0	6	0	0	0	0
SPR 2094	6	0	6	0	0	0	0
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WIN 2094	6	0	6	0	0	0	0
SPR 2095	6	0	6	0	0	0	0
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WIN 2095	6	0	6	0	0	0	0
SPR 2096	6	0	6	0	0	0	0
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WIN 2096	6	0	6	0	0	0	0
SPR 2097	6	0	6	0	0	0	0
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WIN 2097	6	0	6	0	0	0	0
SPR 2098	6	0	6	0	0	0	0
SUM 2098	6	0	6	0	0	0	0
WIN 2098	6	0	6	0	0	0	0
SPR 2099	6	0	6	0	0	0	0
SUM 2099	6	0	6	0	0	0	0
WIN 2099	6	0	6	0	0	0	0

Attachment 6
Lien Holder Letter and Lease Agreement



Northwest
FARM CREDIT SERVICES

PO Box 5576
Twin Falls, ID 83303-5576
Voice: 208.732.1000 Fax: 208.734.0665

April 15, 2016

Crestview Calves
Crestview Calves, Inc.
Magicview Calf Ranch, LLC
756 South 2800 East
Hazelton, ID 83335

RE: Application for Loan Modification – Loan Nos. 6001911, 6008949, 6009629, 6009630, 6009631, 6069549, 6083219 and 6099491
Water rights – Change of use (Crestview Farm, Crestview Calves and Riverview Ranch/Cody and Cathy Morgan)

Dear Mr. and Mrs. Morgan:

Northwest Farm Credit Services, FLCA and Northwest Farm Credit Services, PCA (together herein "Northwest FCS") is in receipt of your Application for Loan Modification requesting consent to the change of use from irrigation to stockwater for water rights with State of Idaho, Department of Water Resources, Water Right Nos. 36-16407, 36-16409, 36-16411, 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410 and 36-16412, which serve as collateral for the above referenced loans. Northwest FCS has reviewed the Application for Transfer of Water Right and hereby gives consent to the change of use. The water rights will continue to be subject to the liens in favor of Northwest FCS.

Any and all costs and fees associated with this change of use shall be the responsibility of Crestview Calves, Crestview Calves, Inc. and Magicview Calf Ranch, LLC.

All other terms and conditions of the notes/loan agreements, associated deeds of trusts/mortgages and other loan documents remain in full force and effect. This is a one-time authorization and future actions will require written consent by Northwest FCS. This consent letter is intended to evidence the lienholder's agreement to the proposed changes as required in Part 1.5(c) of the Application for Transfer of Water Right.

Sincerely,

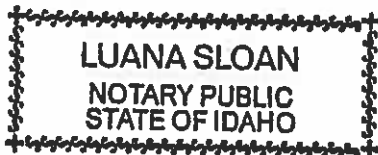
Jeff Freckleton
Relationship Manager II/AVP

TRANSFER 80869

Here to Help You Grow

STATE OF Idaho)
County of Twin Falls)ss.

On this 15th day of April, 2016, before me personally appeared Jeff Freckleton, known to me to be an authorized agent of Northwest FCS, that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and on oath stated that he was authorized to executed said instrument.



Luana Sloan
Notary Public for the State of Idaho
Residing at 551 Lochsa Rd. Twin Falls, ID 83301
My commission expires January 23, 2020
Printed Name Luana Sloan

COMMERCIAL LEASE AGREEMENT

THIS LEASE (this "Lease") dated this 19 day of April, 2016

BETWEEN:

Wayne and Heather Brown of 303 N 3600 E,
Lewisville, Idaho, _____
Telephone: (208) 709-6199 Fax: _____
(collectively and individually the "Landlord")

OF THE FIRST PART

- AND -

Cody and Kathy Morgan of 1348 W Hwy 25,
Paul, Idaho, _____
(collectively and individually the "Tenant")

OF THE SECOND PART

IN CONSIDERATION OF the Landlord leasing certain premises to the Tenant, the Tenant leasing those premises from the Landlord and the mutual benefits and obligations set forth in this Lease, the receipt and sufficiency of which consideration is hereby acknowledged, the Parties to this Lease (the "Parties") agree as follows:

Basic Terms

1. The following basic terms are hereby approved by the Parties and each reference in this Lease to any of the basic terms will be construed to include the provisions set forth below as well as all of the additional terms and conditions of the applicable sections of this Lease where such basic terms are more fully set forth:
 - a. Landlord: Wayne and Heather Brown

b. Address of Wayne and Heather

Brown: 303 N. 3600 E., Lewisville,
Idaho, 83431

c. Tenant: Cody and Kathy Morgan

d. Address of Cody and Kathy Morgan: 1348 W Hwy 25,
Paul, Idaho, 83347

e. Address of **Riverview Calf Ranch** (Rental Property): **1254 South 2800 East, Hazelton, Idaho, 83335**

Definitions

2. When used in this Lease, the following expressions will have the meanings indicated:

b. "Building" means all buildings, improvements, equipment, fixtures, property and facilities from time to time located at Riverview, 1254 South 2800 East, Hazelton, ID, 83335, as from time to time altered, expanded or reduced by the Landlord in its sole discretion;

d. "Leasable Area" means with respect to any land premises, the area expressed in square feet of all floor space including floor space of mezzanines, if any, determined, calculated and certified by the Landlord and measured from the exterior face of all exterior walls, doors and windows, including walls, doors and windows separating the rentable premises from enclosed Common Areas and Facilities, if any, and from the center line of all interior walls separating the rentable premises from adjoining rentable premises. There will be no deduction or exclusion for any space occupied by or used for columns, ducts or other structural elements;

e. "Premises" means the commercial premises at **Riverview Calf Ranch, 1254 South 2800 East, Hazelton, ID, 83335.**

Intent of Lease

3. It is the intent of this Lease and agreed to by the Parties to this Lease that the ownership of the water rights that are transferred by the Tenant to said property will remain the water rights of the Tenant. It is also the intent of this Lease to provide the Tenant with access to the Well on said property.

Governing Law

4. It is the intention of the Parties to this Lease that the tenancy created by this Lease and the performance under this Lease, and all suits and special proceedings under this Lease, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Idaho, without regard to the jurisdiction in which any action or special proceeding may be instituted.

Severability

5. If there is a conflict between any provision of this Lease and the applicable legislation of the State of Idaho (the 'Act'), the Act will prevail and such provisions of the Lease will be amended or deleted as necessary in order to comply with the Act. Further, any provisions that are required by the Act are incorporated into this Lease.
6. If there is a conflict between any provision of this Lease and any form of lease prescribed by the Act, that prescribed form will prevail and such provisions of the lease will be amended or deleted as necessary in order to comply with that prescribed form. Further, any provisions that are required by that prescribed form are incorporated into this Lease.

Amendment of Lease

7. Any amendment or modification of this Lease or additional obligation assumed by either party to this Lease in connection with this Lease will only be binding if evidenced in writing signed by each party or an authorized representative of each party.

Address for Notice

8. For any matter relating to this tenancy, whether during or after this tenancy has been terminated:

a. the address for service of the Tenant is the Premises during this tenancy, and

1348 W Hwy 25, Paul,
Idaho,

_____, _____,

_____ after this tenancy is terminated. The phone number of the Tenant is 208-438-8157, and the fax number of the Tenant is 208-438-8156; and

b. the address for service of the Landlord is

303 N 3600E, Lewisville, Idaho,
83431, both during this tenancy and after it is terminated.

The Landlord or the Tenant may, on written notice to each other, change their respective addresses for notice under this Lease.

General Provisions

9. This Lease will extend to and be binding upon and inure to the benefit of the respective heirs, executors, administrators, successors and assigns, as the case may be, of each party to this Lease. All covenants are to be construed as conditions of this Lease.
10. Where there is more than one Tenant executing this Lease, all Tenants are jointly and severally liable for each other's acts, omissions and liabilities pursuant to this Lease.
11. This Lease may be executed in counterparts. Facsimile signatures are binding and are considered to be original signatures.
12. This Lease will constitute the entire agreement between the Landlord and the Tenant. Any prior understanding or representation of any kind preceding the date of this Lease will not be binding on either party to this Lease except to the extent

incorporated in this Lease. In particular, no warranties of the Landlord not expressed in this Lease are to be implied.

THE PARTIES of this Lease have duly affixed their signatures, on this
19 day of April, 2016

Wayne W Brown

Wayne Brown (Landlord)

Heather Brown

Heather Brown (Landlord)

Cody G. Morgan

Cody G. Morgan (Tenant)

Kathy Morgan

Kathy Morgan (Tenant)

Attachment 7A
Riverview Ranch Stockwater and Commercial Transfer Diversion
System



0 200 400 800 Feet

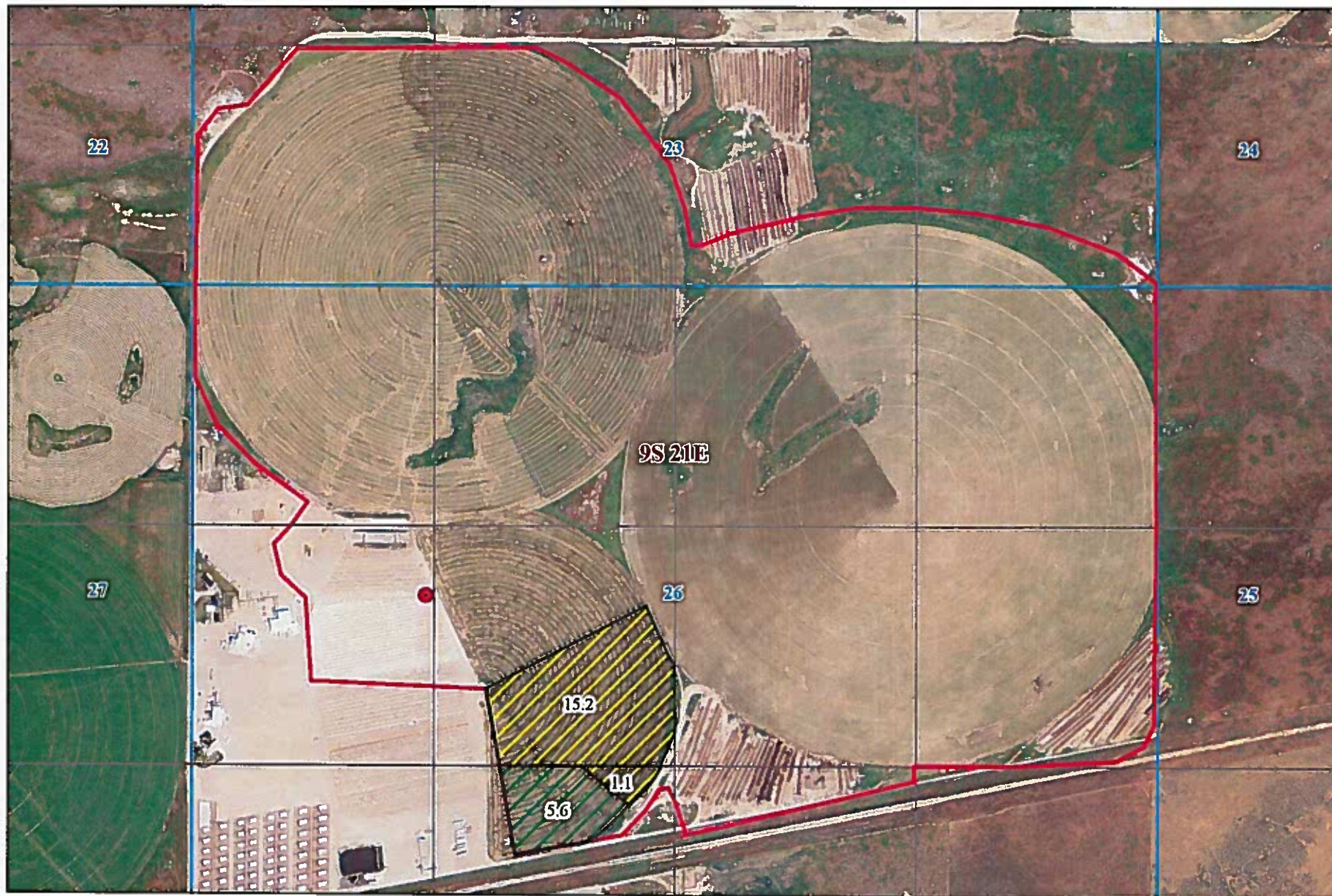
RIVERVIEW CALVES
TRANSFER STOCKWATER/COMMERCIAL
NAIP 2013 AERIAL

Legend

- NEW WELL
- NEW POU 1
- twshp
- Sections
- ladesc



Attachment 7B
Irrigation Place of Use and Dry Up Acreage



0 250 500 1,000 Feet

ARLEN MORGAN
TRANSFER ACRES OFF
NAIP 2011 AERIAL

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 9/21/2015

Legend

- Point_of_Diversion
- Acres_Transferring_off
- Crestview
- Riverview
- WR_POU_36-16407
- twnshp
- Sections
- lades



8a-Riverview Ranch Transfer-Morgan Transfer 2

The Riverview Ranch Transfer is an accompanying transfer to a stockwater/commercial transfer and an irrigation Place of Use transfer. The accompanying transfers are for the same applicant and include: Riverview Stockwater Transfer, and Crestview Stockwater Transfer, and Crestview Irrigation Transfer.

Riverview Ranch is a calf rearing operation located in 10S 21E Sec. 22 and the SENE and the NESE QQs, between Hazelton and Burley, Idaho. The Riverview Ranch will have 1,500 animal units, or approximately 7,500 calves, between day old and three months. Water for the proposed calf operation will be transferred from irrigation water rights currently used for irrigation on the Crestview Farm in Township 9S Range 21E Section 26.

The applicant seeks to use 3.05 af/acre for the consumptive use rate based on FSA reports showing alfalfa as the crop for acres to be used in the transfer (See Exhibit A). Consumptive use for the alfalfa was determined from precipitation deficit values from ET Idaho (Allen and Robison 2012). The nearest stations were Hazelton and Burley. Crestview Farm is approximately halfway between the two locations, so the values were averaged. The resulting, estimated, consumptive use is 3.05 ac-ft/acre (Table 1). The estimated diversion volume and rate will be 17.1 afa and 0.08 cfs (See Riverview LCO analysis in Exhibit B) with the summary of estimated use in Table 2 below. The water right calculation is in Exhibit C.

The transfer will cause a transfer in the point of diversion from Crestview to Riverview farm, both of which are in the ESPA. The water will move from cell SP075046 to cell SP079043. The analysis for the ESPA POD change are in Attachment #5. No mitigation is required based on the ESPA analysis.

Table 1: Consumptive use for Alfalfa frequent cutting between Hazelton and Burley, Idaho (Allen and Robison 2012).

Consumptive Use-Alfalfa Frequent Cutting		
Reference Station	P _{def}	P _{def}
Burley FAA AP (NWS -- 101303)	918 mm	3.01 AF/ACRE
Hazelton (NWS -- 104140)	944 mm	3.10 AF/ACRE
	Average	3.05 AF/ACRE

Table 2: Summary of LCO analysis for Riverview Calf Farm Transfer

Summary of Riverview LCO Analysis		
Total drinking water volume	15.8	ac-ft/year
Total commercial volume	1.3	ac-ft/year
TOTAL DIVERSION VOLUME REQUIREMENT	17.1	AC-FT/YR
PEAK DAY ANNUAL DIVERSION RATE*	35	GPM
*full day in 7.5 hrs (8hrs/1.1)	0.078	cfs
Annual crop consumptive use**	3.05	afa
**P _{def} Avg(Hazelton-Burley) Alfalfa Frequent Cutting		
Equivalent irrigated acres	5.6	acres

References:

Allen, R. G. and C. W. Robison, 2012. Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through December 2008, Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Moscow, ID.

Exhibit A- FSA Records

Minidoka, Idaho

PROGRAM YEAR: 2010

FSA - 578 (02-01-91)

REPORT OF COMMODITIES FARM AND TRACT DETAIL LISTING

DATE: 8-7-2015

PAGE: 1

Farm Number: 4030

Original: _____

Revision: _____

Operator Name and Address

Cropland: 331.30

Farmland: 880.00

MORGAN HAY FARMS LLC
307 N 1150 W
PAUL, ID 83347-4903

Tract Number	CLU/Field	Crop/Commodity	Variety/Type	Irr Prc	Int Use	Land Use	CIC Status	Reporting Unit	Reported Quantity	Determined Quantity	Crop Land	Field ID	Official/Measured	Planting Date	End Date		
2623	1	ALFAL		I	FG			A	129.80		Yes			4-15-2009			
		Producer: MORGAN HAY FARMS LLC						Share 100.00			RMA Unit						
	2	FALLOW		N				A	1.70		Yes						
		Producer: MORGAN HAY FARMS LLC						Share 100.00			RMA Unit						
	3	ALFAL		I	FG			A	42.00		Yes			4-15-2009			
		Producer: MORGAN HAY FARMS LLC						Share 100.00			RMA Unit						
	4	ALFAL		I	FG			A	158.00		Yes			4-12-2006			
		Producer: MORGAN HAY F ARMS LLC						Share 100.00			RMA Unit						
Cri/Co	Var/Type	Irr Prc	Int Use	Non-Irrig	Irrigated	Cri/Co	Var/Type	Irr Prc	Int Use	Non-Irrig	Irrigated	Cri/Co	Var/Type	Irr Prc	Int Use	Non-Irrig	Irrigated
FALLOW		N		1.70		ALFAL		I	FG		329.60						
Photo Number/Legal Description: TRANSFER FROM JEROME/SEC 23.35-9-21																	
Cropland: 331.30					Reported on Cropland: 331.30					Difference: 0.00					Reported on Non-Cropland: 0.00		

Minidoka, Idaho

PROGRAM YEAR 2010

FSA - 578 (02-01-91)

REPORT OF COMMODITIES
FARM SUMMARYDATE: 8-7-2015
PAGE: 2

Farm Number: 4030

Original: _____

Operator Name and Address

Revision: _____

MORGAN HAY FARMS LLC
307 N 1150 W
PAUL, ID 83347-4903

Cropland 331.3

Farmland 680.0

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 1996. 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.

be furnished to any agency responsible for enforcing the provisions of the Act.											
Producer Name				C/C	Share	C/C	Share	C/C	Share	C/C	Share
MORGAN HAY FARMS LLC				ALFAL	100.00	FALOW	100.00				
Crop/ Commodity	Variety/ Type	Irrigation Practice	Intended Use	Reported Quantity	Determined Quantity	Crop/ Commodity	Variety/ Type	Irrigation Practice	Intended Use	Reported Quantity	Determined Quantity
FALOW		N		170		ALFAL		I	EO	329.60	

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 (by)

Date

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

2004

T57 T-2623
803 F-3574
3757

HRS

100% Crop
3-23-04

HKS

3-23-04

Best

Allen Woodland

4-17-04

HET

49 TEL

24⁹ 1457

Exhibit B- Livestock Confinement Operations (LCO)

Livestock Confinement Operations

Water Requirements and Consumptive Use Worksheet

Copyright 1998 by Brockway Engineering, PLLC

The information, data, or computational procedures herein may not be duplicated without the express written consent of Brockway Engineering.

COMPLETE BLUE HIGHLIGHTED SECTIONS ONLY

Prepared for: **Arian Morgan**
Riverview Calf Ranch

Revision: 9801
Run Date: 9/16/2015

Remarks: 1500 AU, 0.2 AU=1calf, 7500 calves total: 1-150 days old

Herd Information - User Input

Number of milking cows	0				Breed:	Large
Number of dry cows	0					
Number of other adult dry animals	0					
Number of Animal Units	1500	7500	2500			
Calves at age:	Calves	AU	Heifers at age:			
1 month	2500	500	5 months			0
2 months	2500	500	15 - 18 months			0
3 months	2500	500	18 - 24 months			0
4 months	0					
5 months	0	0				
6 months	0					
7 months	0					
8 months	0					
9 months	0					
10 months	0					
11 months	0					
12 months	0					
Total	7500	1500				0

ANIMAL INFORMATION

Use defaults or enter values if known

Average body weight	lbs	Nearest weather station	Burley
Milk fat percentage	%	Number of milkings/day	
Average days dry			
Annual milk yield per animal	lbs/year		
Percent dry matter in ration	%		

Drinking Water Calculation for Replacement Herd (Calves and Heifers)

Age	consumption	GPD	Ac-Ft/year
1 mo	1.7 gal/day	4125	4.62
2 mo	2.0 gal/day	4875	5.46
3 mo	2.5 gal/day	6125	6.86
4 mo	3.3 gal/day	0	0.00
5 mo	4.2 gal/day	0	0.00
6 mo	4.4 gal/day	0	0.00
7 mo	4.6 gal/day	0	0.00
8 mo	4.7 gal/day	0	0.00
9 mo	4.9 gal/day	0	0.00
10 mo	5.1 gal/day	0	0.00
11 mo	5.3 gal/day	0	0.00
12 mo	5.4 gal/day	0	0.00

Drinking water requirement for calf raising	15125	gpd	16.94	ac-ft/year
Milk Concentrate	1000	gpd	1.12	ac-ft/year

TOTAL STOCKWATER COMPONENT 15.82 AC-FT/YEAR

Commercial Component

Milk Carts	2.00
Washings	2.00 per day
gal/washing	200
Total Current Cart Wash	800 gal/day
	0.90 ac-ft/year
Overestimate Rate	1.5
Other Use and Future Use Allowance	360 gal/day
	0.40 ac-ft/year
Commercial Use Total	423577 gal/year
Washout Milk Carts	1160 gal/day
TOTAL COMMERCIAL COMPONENT	1.30 AC-FT/YEAR

Riverview Calf Ranch Summary

Drinking Water

Replacement herd (calves and heifers)	16.9 ac-ft/year
Milk Concentrate-Drinking water offset	1.12 ac-ft/year
Total drinking water volume	15.8 ac-ft/year

Commercial

Milk Cart Wash	0.9 ac-ft/year
Other Use and Future Use Allowance	0.4 ac-ft/year
Total commercial volume	1.3 ac-ft/year

Total Volume

TOTAL DIVERSION VOLUME REQUIREMENT	17.1 AC-FT/YR
------------------------------------	---------------

Total Diversion Rate

AVERAGE ANNUAL DIVERSION RATE*	10.6 GPM	
*24 hrs per day	0.024 cfs	
WORK DAY ANNUAL DIVERSION RATE**	31.8 GPM	7.272727
**8 hrs per day	0.071 cfs	
PEAK DAY ANNUAL DIVERSION RATE**	35.0 GPM	
**full day diversion in 5.3 hrs (8hrs/1.5	0.078 cfs	

Irrigation Acres Required for Stockwater Consumptive Use

Annual crop consumptive use***	3.05 afa
***P _{def} Avg(Hazleton-Burley) Alfalfa Frequent Cutting	
Equivalent irrigated acres	5.6 acres

Exhibit C- Water Right Calculation

Crestview Farm Transfer
Water Right Calculation
 Brockway Engineering PLLC

Base Water Rights Before Combination Limits

WR #s	Crestview Pre Transfer(s)					Crestview Calves Portion					Riverview Ranch Portion					Crestview Farm Post Transfers			
	cfs	AFA	Acres	Acre Limit		cfs	AFA	Acres	%		cfs	AFA	Acres	%		cfs	AFA	Acres	Acre Limit
36-16407	1.53	43.5	10.9	390.5	-	0.06	1.82	0.46	4%	-	0.02	0.62	0.16	1%	=	1.44	41.1	10.3	368.6
36-16409	1.2	585.6	146.4			0.05	24.47	6.12	4%		0.02	8.40	2.10	1%		1.13	552.7	138.2	
36-16411	3.03	1098.8	274.7			0.13	45.92	11.48	4%		0.04	15.76	3.94	1%		2.86	1037.1	259.3	
Total	5.76	1727.9	432	390.5		0.24	72.21	18.05	4%		0.08	24.78	6.20	1%		5.44	1630.9	407.8	368.6

Combination Total

WR #s	Crestview Pre Transfer(s)					Crestview Calves Portion					Riverview Ranch Portion					Crestview Farm Post Transfers			
WR #s	cfs	AFA	Acres	Acre Limit		cfs	AFA	Acres	✓		cfs	AFA	Acres	✓		cfs	AFA	Acres	Acre Limit
36-16407	1.53	1562	390.5	390.5	-	0.06	1.64	0.41	1.65	-	0.02	0.56	0.14	0.57	=	1.44	1474.3	368.6	368.6
36-16409	1.2					0.05	22.12	5.53	22.12		0.02	7.59	1.90	7.59		1.13			
36-16411	3.03					0.13	41.51	10.38	41.51		0.04	14.24	3.56	14.24		2.86			
Total	5.76	1562	390.5	390.5		0.24	65.28	16.32	65.28		0.08	22.40	5.60	22.40		5.44	1474.3	368.6	368.6

Crestview Calves Transfer
Water Right Calculation
 Brockway Engineering PLLC

Crestview Multiple Irrigation to Multiple Stock

Irrigation				Combined Rights			
Combined Total Acres	390.5			cfs	AFA	Acres	CheckAFA
Combined Total AFA	1562	4.00	AFA/acre	0.06	1.64	0.41	1.65
Combined Acres S/T	16.32	4.18%		0.05	22.12	5.53	22.12
Combined Volume S/T	65.28	4.18%		0.13	41.51	10.38	41.51
Combined CFS	5.76	0.015	cfs/acre	0.24	65.28	16.32	65.28
Period	214.00	days					
Sum WR AFA	1727.9	4.00	AFA/acre				
Sum WR Acres	432.0						
Sum sold/Transferring AFA	72.2	4.2%					
Sum CFS	5.76						

Water Right					Base Rights Irrigation				Residual Irrigation			
	Amount				cfs	AFA	Acres	Check %	cfs	AFA		Check %
36-16407	1.53	43.5	10.9		0.06	1.82	0.46	4.2%	1.47	41.7	10.4	96%
36-16409	1.2	585.6	146.4	390.5	0.05	24.47	6.12	4.2%	1.15	561.1	140.3	96%
36-16411	3.03	1098.8	274.7		0.13	45.92	11.48	4.2%	2.90	1052.9	263.2	96%
Total	5.76	1727.9	432	432:390.5	0.24	72.21	18.05	4.2%	5.52	1655.7	413.9	96%

	Transferring		Remaining		Total	Check %
Irrigation Parts Total	0.24	CFS	5.52	CFS	5.76	100.0%
	65.28	AFA	1496.7	AFA	1562.00	
	16.32	Acres	374.2	Acres	390.5	

	Transferring		Existing		Total
Stockwater Total	0.24	CFS	0.55	CFS	0.79
	65.28	AFA	127.2	AFA	192.48

Riverview Ranch Transfer
Water Right Calculation
Brockway Engineering PLLC

Riverview Multiple Irrigation to Multiple Stock

Irrigation				Combined Rights			
Combined Total Acres	390.5			cfs	AFA	Acres	CheckAFA
Combined Total AFA	1562	4.00	AFA/acre	0.02	0.56	0.14	0.57
Combined Acres S/T	5.6	1.43%		0.02	7.59	1.90	7.59
Combined Volume S/T	22.4	1.43%		0.04	14.24	3.56	14.24
Combined CFS	5.76	0.015	cfs/acre	0.08	22.40	5.60	22.40
Period	214.00	days					
Sum WR AFA	1727.9	4.00	AFA/acre				
Sum WR Acres	432.0						
Sum sold/Transferring AFA	24.8	1.43%					
Sum CFS	5.76	0.013					

Water Right					Transfer				Residual Irrigation			
	cfs	AFA	Acres	Acre Limit	cfs	AFA	Acres	Check %	cfs	AFA	Acres	Check %
36-16407	1.53	43.5	10.9		0.02	0.62	0.16	1.4%	1.51	42.9	10.7	99%
36-16409	1.2	585.6	146.4	390.5	0.02	8.40	2.10	1.4%	1.18	577.2	144.3	99%
36-16411	3.03	1098.8	274.7		0.04	15.76	3.94	1.4%	2.99	1083.0	270.8	99%
Total	5.76	1727.9	432	432:390.5	0.08	24.78	6.20	1.4%	5.68	1703.1	425.8	99%

	Transferring		Remaining		Total	Check %
Total	0.08	CFS	5.68	CFS	5.76	
	22.40	AFA	1539.6	AFA	1562.00	
	5.60	Acres	384.9	Acres	390.5	

RECEIVED

MAY 11 2016 WARRANTY DEED

#EC1546

For Value Received

DEPT OF WATER RESOURCES
SOUTHERN REGION

Instrument # 2872838
JEROME COUNTY, JEROME, IDAHO
2007-04-30 02:54:31 No. of Pages: 1
Recorded for: LAND TITLE & ESCROW
MICHELLE EMERSON
Ex-Officio Recorder Deputy Fee: 3.00

SYLVIA NORMAN Also skown of record as Sylvia F. Norman, A Widow

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

WAYNE W. BROWN and HEATHER BROWN, Husband and Wife
Address: 3528 EAST 300 NORTH, RIGBY, ID 83442

Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho, to-wit:

TOWNSHIP 10 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Sections 22 and 23: Tract "A", according to Supplemental Survey Plat completed April 29, 1955, accepted July 12, 1956, and filed October 9, 1956 under Instrument No. 130290, Jerome County records.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2007 and subsequent years.

Assessments of the A & B Irrigation District.

Provisions of a Contract recorded March 19, 1962 as Instrument No. 149779 in Book 164 Page 573, records of Jerome County, Idaho.

Easement for a concrete pipe irrigation siphon as disclosed by Instrument recorded February 7, 1956 in Book 154 Page 603 as Instrument No. 128097, Jerome County records.

Power Line Easement dated April 14, 1973 and recorded June 27, 1973 in Book 184 Page 764 as Instrument No. 200933 Jerome County records.

Power Line Easement dated April 24, 1996, recorded August 20, 1996 as Instrument No. 963554 Jerome County records.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 23, 2007

Sylvia Norman
SYLVIA NORMAN

STATE OF IDAHO)
COUNTY OF CASSIA) ss.

On this 26th day of April, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared SYLVIA NORMAN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Terri McBride
Notary Public
Residing at: Rupert

My Commission expires: 25.08

Terri McBride
Notary Public
State of Idaho

THOMSON REUTERS

AUMENTUM *Jerome*PIN: **RP10S21E221392**TAG: **TAG 021-0000**Current owner: **BROWN WAYNE W(more)**AIN: **DF**

TIF:

Ownership type: **Fee Simple Ownership**Status: **Active**County: **27-Jerome**Situs address: **1254 S 2800 E**Geocode: **80**

Case:

Description: **TRACT A SEC 22 T10 R21 76(...)**Rev acct: **7243**

Pmt pln:

Class: **101 Irrigated Crop Land**

Tax sale:

ACH pln:

Roll type: **Real Property**

TRANSFER 80869

Year/Bill **2015-130300-A** ▼

Tax Info ▼

Print | Bill Detail

Total Due

5/11/2016

Bill type: Original Actual

Owner of record:

Bill dates: **November 01, 2015****BROWN WAYNE W
3528 E 300 N
RIGBY ID 83442
USA**Amount: **\$3,487.80**Paid date: **Friday, December 18, 2015**Receipt: **U15.6257**Sequence no: **3**Paid by: **Riverview Calf Ranch**

Decal no:

Description: **TRACT A SEC 22 T10 R21 76.35 AC****Bill 2015-130300-A
Inst 2-June 20 \$0.00****Total Current \$0.00****Delinquent \$0.00****Adv/Surplus \$0.00****Discount \$0.00****Total Due \$0.00**

Values/Exemptions

Land Assessed 97,502 USD**Imp Assessed 172,397 USD****Total Acres 76.3500 Acres****Total Value 269,899 USD****Net Tax Value 269,899 USD**

Charge Summary

Detail

Gross Tax	Credits	Net Tax	Tax Savings	Total Credits/Savings
3,487.80	0.00	3,487.80	0.00	0.00

Bitzenburg, James

From: Hattie Zobott [hattie.zobott@brockwayeng.com]
Sent: Monday, May 16, 2016 11:59 AM
To: Bitzenburg, James
Subject: Morgan 3.2.1 model run
Attachments: Cody Morgan Tranfer-CrestviewMIT Eval.pdf; Cody Morgan Tranfer-Crestview ETRAN data entry.pdf

Dear Jim,

Attached are the data sheets and the updated MIT summary sheet for the Crestview Calves Transfer for Cody and Cathy Morgan. Please let me know if you have any questions.

Thank you,

Hattie Zobott, P.E.

Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
hattie.zobott@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 24161

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	227.25
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	227.25
Fax			
Section	Legals	Start/End Dates	05/19/2016 - 05/26/2016
SubSection		Insertions	2
Category	50 Legal	Size	150
Ad Key	24161-1	Salesperson(s)	Ruby Aufderheide
Keywords	Roth Investments & Morgan water transfers	Taken By	Ruby Aufderheide
Notes			

Ad Proof

Proof of legal notice received
from Time News 5/12/2016
(4 total pages)

✓ OK DM
5/13/2016.
E-mail sent to
newspaper.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80866**

ROTH INVESTMENTS LLC, 539 S 800 E, JEROME, ID 83338, has filed Application No. 80866 for changes to the following water rights within JEROME County(s): Right No(s). 36-16683. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to convert a 40 acre portion (0.74cfs) of a ground water irrigation right to stockwater and commercial use at an existing dairy facility, located on a farm approximately 2.8 to 4.3 miles east and 0.25 to 2.5 miles north of the center of the City of Jerome. The diversion of the 0.74 cfs will be from three existing wells at the dairy site.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80867**

ROTH INVESTMENTS LLC, 539 S 800 E, JEROME, ID 83338, has filed Application No. 80867 for changes to the following water rights within JEROME County(s): Right No(s). 36-16683. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to move a 2.3 acre portion (0.04 cfs) of a ground water irrigation right located on a farm approximately 2.8 to 4.3 miles east and 0.25 to 2.5 miles north of the center of the City of Jerome, to an adjacent farm within an existing 240.4 acre permissible place of use located approximately 4.3 to 5.3 miles east and 1.5 to 2.0 miles north of the center of the City of Jerome. The diversion of the 0.04 cfs will be from an existing well at the proposed place of use.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80864**

KATHY J MORGAN and CODY G MORGAN, 756 S 2800 E, HAZELTON, ID 83335; has filed Application No. 80864 for changes to the following water rights within JEROME County(s): Right No(s). 36-14632, 36-16094, 36-16096, 36-16098, 36-16407, 36-16408, 36-16409, 36-16410, 36-16411, 36-16412. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 16.3 acre portion (0.24 cfs) of ground water irrigation rights 36-16407, 36-16409, and 36-16411 to stockwater and commercial use associated with an existing CAFO located approximately 9.0 miles west and 0.5 mile north of Paul. The transferred portions will be diverted from two existing wells at the CAFO site, a new well to be drilled at the CAFO site, and the existing irrigation well that currently serves as the point of diversion for the transferred portions. The application also proposes adding the new well to be drilled and the existing irrigation well as authorized points of diversion for the existing rights at the CAFO site, which divert 0.55 cfs. The total amount being transferred is 0.79 cfs.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80869**

KATHY J MORGAN and CODY G MORGAN, 756 S 2800 E, HAZELTON, ID 83335; has filed Application No. 80869 for changes to the following water rights within JEROME County(s): Right No(s). 36-16407, 36-16409, 36-16411. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 5.6 acre portion (0.08 cfs) of ground water irrigation rights 36-16407, 36-16409, and 36-16411 to stockwater and commercial use associated with an existing calf rearing operation located approximately 9.7 miles west and 4.5 miles south of Paul. The transfer proposes to change the point of diversion of the converted rights to an existing well located on the site of the calf rearing facility.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before June 6, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 19th & 26th, 2016

✓ DM

Customer Ad Proof

#Error

Publication	Online		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	227.25
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	227.25
Fax			
Section	Legals	Start/End Dates	05/19/2016 - 05/26/2016
SubSection		Insertions	2
Category	50 Legal	Size	150
Ad Key	24161-1	Salesperson(s)	Ruby Aufderheide
Keywords	Roth Investments & Morgan water transfers	Taken By	Ruby Aufderheide
Notes			

Ad Proof

✓ DM

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TRANSFER NO. 80866**

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TRANSFER NO. 80864**

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GARY SPACKMAN, Director
Published on May 19th & 26th, 2016





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 12, 2016

CODY G MORGAN
KATHY J MORGAN
756 S 2800 E
HAZELTON, ID 83335

RE: Transfer No. 80864
Water Right No(s). 36-14632, 36-16094, 36-16096, 36-16098, 36-16407, 36-16408,
36-16409, 36-16410, 36-16411, 36-16412

RE: Transfer No. 80869
Water Right No(s). 36-16407, 36-16409, 36-16411

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 5/19/2016 and 5/26/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**June 6, 2016**).

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

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

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

Sincerely,

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

Denise Maline
Administrative Assistant

cc: BROCKWAY ENGINEERING PLLC

Maline, Denise

From: Maline, Denise
Sent: Thursday, May 12, 2016 12:07 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on May 19th & 26th, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 12, 2016

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 80866
Water Right No(s): 36-16683

RE: Transfer No. 80867
Water Right No(s): 36-16683

RE: Transfer No. 80864
Water Right No(s): 36-14632, 36-16094, 36-16096, 36-16098, 36-16407, 36-16408, 36-16409,
36-16410, 36-16411, 36-16412

RE: Transfer No. 80869
Water Right No(s): 36-16407, 36-16409, 36-16411

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 6, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80866**

ROTH INVESTMENTS LLC, 539 S 800 E, JEROME, ID 83338; has filed Application No. 80866 for changes to the following water rights within JEROME County(s): Right No(s). 36-16683. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to convert a 40 acre portion (0.74cfs) of a ground water irrigation right to stockwater and commercial use at an existing dairy facility, located on a farm approximately 2.8 to 4.3 miles east and 0.25 to 2.5 miles north of the center of the City of Jerome. The diversion of the 0.74 cfs will be from three existing wells at the dairy site.

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GARY SPACKMAN, Director
Published on May 19th & 26th, 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 12, 2016

NATHAN ERICKSON
WATER DISTRICT #130
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Via hand delivery

RE: Transfer No. 80866
Water Right No(s). 36-16683

RE: Transfer No. 80867
Water Right No(s). 36-16683

RE: Transfer No. 80864
Water Right No(s). 36-14632, 36-16094, 36-16096, 36-16098, 36-16407, 36-16408,
36-16409, 36-16410, 36-16411, 36-16412

RE: Transfer No. 80869
Water Right No(s). 36-16407, 36-16409, 36-16411

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Bitzenburg, James

From: Hattie Zobott [hattie.zobott@brockwayeng.com]
Sent: Tuesday, May 10, 2016 3:17 PM
To: Bitzenburg, James
Subject: Cody and Cathy Morgan Transfer

Dear Jim,

It was a pleasure to talk with you and Corey on the phone this afternoon. The result of our conversation was that I need to rerun the ESPAM model in version 3.2 for the Riverview transfer and the below changes to the application:

The transfer will use the existing well on the Brown property. Only a change in POD will occur as a result of the proposed transfer.

The POD is 10S 21E Section 22

I will get the Deeds for the properties asap.

Thank you,

Hattie Zobott, P.E.

Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
hattie.zobott@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

MEMORANDUM

Date: May 6, 2016
To: Transfer 80869, Morgan – Riverview Ranch File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application proposes converting a 5.6 acre portion (0.08 cfs) of ground water irrigation rights 36-16407, 36-16409, and 36-16411 to stockwater and commercial use associated with an existing calf rearing operation located approximately 9.7 miles west and 4.5 miles south of Paul. The transfer proposes to change the point of diversion of the converted rights to an existing well located on the site of the calf rearing facility.

Rights 36-16407, 36-16409, and 36-16411 currently allow for the irrigation of 390.5 acres as a result of Transfer #70375 which consolidated these rights into a smaller place of use. A later transfer, #72741, modified the rights further. Only the oldest of these three rights, 36-16411, has an acre limit (274.7 acres within the 390.5 acres). These particular acres are fully covered at 4.0 afa per acre by right 36-16411, with the other two rights providing additional rate for these same acres, and additional rate, acres, and volume for the remainder of the 390.5 acres. The transfer proposes converting 3.6 acres of the 274.7 acres covered by the oldest right, 36-16411, and 2.0 acres from overlapping rights 36-16409 and 36-16407, the next oldest rights.

The transfer involves rights within the ESPA and water district 130 so water master comments will be solicited.

The transfer involves a change in point of diversion from non-adjacent ESPA model grid cells so ESPA modeling is required.

- **Authority to File:**

The applicants are listed as the current owners of the rights being transferred according to IDWR records. Taxlot information shows the applicants are the owners of the lands from which the irrigation rights are being transferred. A water sharing agreement between the applicants and the owners of the land where the water is being transferred to is attached to the application. Application was signed by both applicants.

- **Water Right Validity:**

The rights involved in the transfer have been decreed in the SRBA or are based on a license. Aerial imagery shows the irrigated lands being converted have been irrigated within the last 5 years. Forfeiture does not appear to be an issue.

- **Injury to Other Water Rights:**

None anticipated or foreseen. An ESPA POD change analysis is attached to the application.

- **Enlargement of Use:**

None anticipated. The irrigation to stockwater and commercial use conversion is based on a consumptive use value (3.05 afa per acre for alfalfa hay in the area) for the acres being dried up. Basing the conversion on consumptive use, rather than the allowable diversion volume actually results in an overall reduction in total allowable diversion volume if the transfer is approved as proposed.

- **Local Public Interest:**
No issues anticipated. This application will be advertised and subject to protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

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

FEE MEMORANDUM

Date: May 2, 2016
To: Crestview Calves – 80864, Riverview Ranch – 80869, Crestview Farm Irrigation – 80871 Files
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

The above transfers were filed on April 21, 2016 in the name of Cody and Kathy Morgan with a check from Brockway Engineering (representative) for \$2100.00 (check #13326). The Crestview Calves transfer (80864) intends to change the nature of use, change the points of diversion (POD), and change the place (POU) of use for a portion of three water rights (0.24 cfs), and add a POD for those rights and the seven existing rights (0.55 cfs) on the facility. The fee for the change of nature of use is \$250.00 and the fee for the addition of the POD for the ten rights (0.79 cfs total) is \$500.00 for a total fee of \$750.00.

The Riverview Ranch transfer (80869) will change the nature of use for a portion (0.08 cfs) of three water rights, and change the POD and POU for the same rights. The change of nature of use fee is \$250.00 and the transfer fee for 0.08 cfs is \$200.00 for a total of \$450.00.

The Crestview Farm Irrigation transfer (80871) will create a Permissible Place Use and change the place of use for three irrigation rights (5.75 cfs, combined limit). The fee is \$900.00 for the changes.

The total for the three transfers is \$2100.00, which was paid in full, IDWR receipt S035410 dated 4/21/2016.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 21 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

April 19, 2016

Allen Merrit
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301-5858

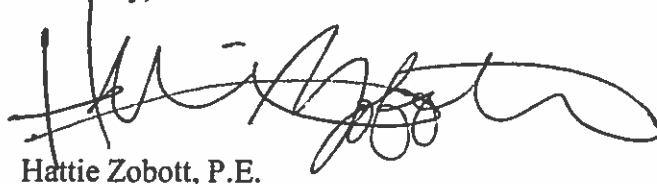
Re: Crestview Calves, Riverview Ranch, and Crestview Farm Transfers

Dear Mr. Merrit:

The applicant seeks to change the use of a portion of the irrigation rights for Crestview Farm to stockwater and commercial rights for two calf rearing operations called Crestview Calves and Riverview Ranch. Crestview Farm and Crestview Calves are adjacent with the expansion of the calf operation directly offsetting irrigation of the farm. Crestview is located between Hazelton and Paul, Idaho, within Township 9 South, Range 21 East, and Section 26. Riverview Ranch is located to the south of the Crestview facility within Township 10 South, Range 21 East, and Section 22.

The Crestview Calves transfer will change the beneficial use of 16.3 acres from irrigation to stockwater and commercial use to support the expansion of the facility from 38,000 calves (7,500 Animal Units) to approximately 51,000 calves (13,500 Animal Unit Total). The Riverview Ranch transfer will change the beneficial use of 5.6 acres from irrigation to stockwater and commercial use to support the development of the facility for 7,500 calves (1,500 Animal Units). The remaining 368.2 acres of irrigation will be transferred into a new Permissible Place of Use (PPU) with a revised Place of Use for the irrigation.

Sincerely,



Hattie Zobott, P.E.

Enc: Transfer Applications, Transfer Application Fees: \$2,100
Brockway Engineering Check # 13324
Cc: Arlen Morgan, Cody Morgan—electronic copies only

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506