

APR 21 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80864

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; ~~Gethy~~ J Morgan Kathy

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

Yes N/A * Means the item is always required and must be included with the application.

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

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

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

RECEIVED

APR 21 2016

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

**CRESTVIEW CALVES STOCKWATER AND
COMMERCIAL TRANSFER
Cody and ~~Gathy~~ Morgan**

Kathy

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 27 2016

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT OF WATER RESOURCES
SOUTHERN REGION

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.

Soy
Signature of Applicant or Authorized Representative

Cody G. Morgan
Print Name and Title if applicable

4-19-16
Date

Kathy J. Morgan
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**.

The applicant seeks to transfer a portion of the irrigation water rights from a farm to an adjacent calf raising 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) 438-8159Mailing address 756 S 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 RepresentativeName of Representative Hattie Zobott Phone 736-8543Mailing address Brockway Engineering 2016 Washington St. W., 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.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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 the irrigation water rights to an adjacent calf raising operation.

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
			See 1 B		
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	

Total authorized under rights 6.31 cfs and/or 1689.2 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.79 cubic feet per second and/or 192.5 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 #
N		SW	SW	NW	26	09S	21E	Jerome	Groundwater	
N		SW	NW	SW	26	09S	21E	Jerome	Groundwater	
N		NE	SW	NW	26	09S	21E	Jerome	Groundwater	
Y			SE	NW	26	09S	21E	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	
09S	21E	26		S	S		S	S	S	S	S				S			0	
09S	21E	26		C	C		C	C	C	C	C				C			0	
09S	21E	26						D										0	
No POU change for remaining Irrigation rights.																		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 6.31 cfs and/or 1689.2 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:

Diversion system in place and will maintain current measuring devices.

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

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

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

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:

There will be fewer irrigated acres and more calves.

- 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:

- 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.

Licensed Date: 4/16/1999

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

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	3.03 CFS	1098.8 AF
	<u>Total Diversion</u>	3.03 CFS	1098.8 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4NW1/4 Sec. 26, Twp 09S, Rge 21E B.M.
JEROME County

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

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

Current Water Right No.: 36-14632

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 3/11/1960

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>
COMMERCIAL	01/01 to 12/31	0.07 CFS	1 AF
DOMESTIC	01/01 to 12/31	0.07 CFS	4.8 AF
STOCKWATER	01/01 to 12/31	0.07 CFS	38.8 AF
	<u>Total Diversion</u>	0.07 CFS	44.6 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4NW1/4SW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

SW1/4SW1/4NW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

Place of Use

COMMERCIAL Within JEROME County

T09S R21E S26	NWNW	T09S R21E S26	SWNW
T09S R21E S26	SESW	T09S R21E S26	NESW
T09S R21E S26	NWSW		

DOMESTIC Within JEROME County

T09S R21E S26 SWNW

STOCKWATER Within JEROME County

T09S R21E S26	NWNW	T09S R21E S26	SWNW
T09S R21E S26	SESW	T09S R21E S26	NESW
T09S R21E S26	NWSW		

Conditions of Approval:

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. 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.
3. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af
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. 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.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
8. X36 Rights 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412 are also diverted through the points of diversion described above.
9. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
11. 115 Prior to the diversion and use of water under Transfer approval 72741, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
12. Commercial use is for a calf-rearing operation.

Decreed Date: 6/18/1998

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

Current Water Right No.: 36-16094

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 3/10/1992

Origin: Water Right

Status: Active

Basis: License

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>
STOCKWATER	01/01 to 12/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.03 CFS	0.6 AF
0.03 CFS	0.6 AF

Location of Point(s) of Diversion

GROUND WATER
JEROME County

SW1/4NW1/4SW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

GROUND WATER
JEROME County

SW1/4SW1/4NW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNW
T09S R21E S26	SENW
T09S R21E S26	NWSW

T09S R21E S26	SWNW
T09S R21E S26	NESW

Conditions of Approval:

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. 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.
3. T06 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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. O82 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
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. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af
8. T15 Prior to the diversion and use of water under Transfer approval 72741, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
9. X36 Rights 36-14632, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412 are also diverted through the points of diversion described above.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Licensed Date: 4/16/1999

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

Current Water Right No.: 36-16096

Current Owner: KATHY J MORGAN
CODY G MORGAN

Priority Date: 2/6/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	11.7 AF
	<u>Total Diversion</u>	0.02 CFS	11.7 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4SW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNW	T09S R21E S26	SWNW
T09S R21E S26	SENW	T09S R21E S26	NESW
T09S R21E S26	NWSW		

Conditions of Approval:

1. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
2. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
3. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. 115 Prior to the diversion and use of water under Transfer approval 72741, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
5. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. X36 Rights 36-14632, 36-16094, 36-16098, 36-16408, 36-16410, and 36-16412 are also diverted through the points of diversion described above.
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. 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.
10. 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.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-16098

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 3/11/1954

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>
STOCKWATER	01/01 to 12/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.06 CFS	17 AF
0.06 CFS	17 AF

Location of Point(s) of Diversion

GROUND WATER
JEROME County

SW1/4NW1/4SW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

GROUND WATER
JEROME County

SW1/4SW1/4NW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNW
T09S R21E S26	SESW
T09S R21E S26	NWSW

T09S R21E S26	SWNW
T09S R21E S26	NESW

Conditions of Approval:

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
4. X36 Rights 36-14632, 36-16094, 36-16096, 36-16408, 36-16410, and 36-16412 are also diverted through the points of diversion described above.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af
8. 115 Prior to the diversion and use of water under Transfer approval 72741, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
9. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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.: 36-16408

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 3/10/1992

Origin: Water Right

Status: Active

Basis: License

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.08 CFS	1.5 AF
COMMERCIAL	01/01 to 12/31	0.08 CFS	1.5 AF
	<u>Total Diversion</u>	0.08 CFS	1.5 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4SW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNW	T09S R21E S26	SWNW
T09S R21E S26	SESW	T09S R21E S26	NESW
T09S R21E S26	NWSW		

COMMERCIAL Within JEROME County

T09S R21E S26	NWNW	T09S R21E S26	SWNW
T09S R21E S26	SESW	T09S R21E S26	NESW
T09S R21E S26	NWSW		

Conditions of Approval:

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. 115 Prior to the diversion and use of water under Transfer approval 72741, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
4. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
5. Commercial use is for a calf-rearing operation.
6. 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.
7. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
8. Rights 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 53.3 af.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. X36 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16410, and 36-16412 are also diverted through the points of diversion described above.
11. 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.
12. 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.

Licensed Date: 4/16/1999

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

Current Water Right No.: 36-16410

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>
STOCKWATER	01/01 to 12/31	0.06 CFS	19.9 AF
COMMERCIAL	01/01 to 12/31	0.06 CFS	19.9 AF
	<u>Total Diversion</u>	0.06 CFS	19.9 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4NW1/4SW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

GROUND WATER

SW1/4SW1/4NW1/4 Sec. 26, Twp 09S, Rge 21E B.M.

JEROME County

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNW	T09S R21E S26	SWNW
T09S R21E S26	SENW	T09S R21E S26	NESW
T09S R21E S26	NWSW		

COMMERCIAL Within JEROME County

T09S R21E S26	NWNW	T09S R21E S26	SWNW
T09S R21E S26	SENW	T09S R21E S26	NESW
T09S R21E S26	NWSW		

Conditions of Approval:

1. Rights 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 53.3 af.
2. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af
3. 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.
4. X36 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, and 36-16412 are also diverted through the points of diversion described above.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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. Commercial use is for a calf-rearing operation.
10. 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.
11. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. 115 Prior to the diversion and use of water under Transfer approval 72741, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-16412

Current Owner: CODY G MORGAN
KATHY J MORGAN

Priority Date: 3/11/1954

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.23 CFS	53.3 AF
COMMERCIAL	01/01 to 12/31	0.23 CFS	53.3 AF
	<u>Total Diversion</u>	0.23 CFS	53.3 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4SW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 26,	Twp 09S,	Rge 21E B.M.
JEROME County				

Place of Use

STOCKWATER Within JEROME County

T09S R21E S26	NWNW	T09S R21E S26	SWNW
T09S R21E S26	SESW	T09S R21E S26	NESW
T09S R21E S26	NWSW		

COMMERCIAL Within JEROME County

T09S R21E S26	NWNW	T09S R21E S26	SWNW
T09S R21E S26	SESW	T09S R21E S26	NESW
T09S R21E S26	NWSW		

Conditions of Approval:

1. Commercial use is for a calf-rearing operation.
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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 115 Prior to the diversion and use of water under Transfer approval 72741, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. X36 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, and 36-16410 are also diverted through the points 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. Rights 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 53.3 af.
10. X35 Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
11. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
12. 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

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 $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use) 390.5

Total Acres (for irrigation use)	390.5
----------------------------------	-------

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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: 36-16411

[illegible]

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

[illegible]

Total Acres (for irrigation use) 390.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

1. The first step in the process of creating a new product is to identify a market need. This involves conducting market research to understand the current market landscape, identify gaps, and determine the target audience. Once a market need is identified, the next step is to develop a concept that addresses this need. This concept should be innovative, feasible, and profitable. The concept is then refined through a series of iterations, involving feedback from potential customers and internal stakeholders. The refined concept is then developed into a detailed business plan, which outlines the product's features, benefits, and the marketing strategy. The business plan is then used to secure funding from investors or lenders. Once funding is secured, the next step is to develop a prototype of the product. This involves creating a small-scale version of the product that can be used to test the concept and gather feedback. The prototype is then tested in a controlled environment, and the results are used to make improvements to the product. The final step in the process is to launch the product into the market. This involves creating a marketing campaign to promote the product, establish a distribution network, and monitor sales and customer feedback. The product is then refined based on this feedback, and the process continues as the product evolves in the market.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by DW Date 4-21-2016 Preliminary check by _____ Date _____

Fee paid \$750- Date 4-21-2016 Received by AM Receipt # 5035410

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

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

Attachment 6
Lien Holder Letter



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,

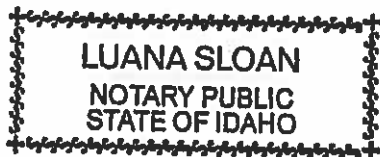
Jeff Freckleton
Relationship Manager II/AVP

TRANSFER 80864

Here to Help You Grow

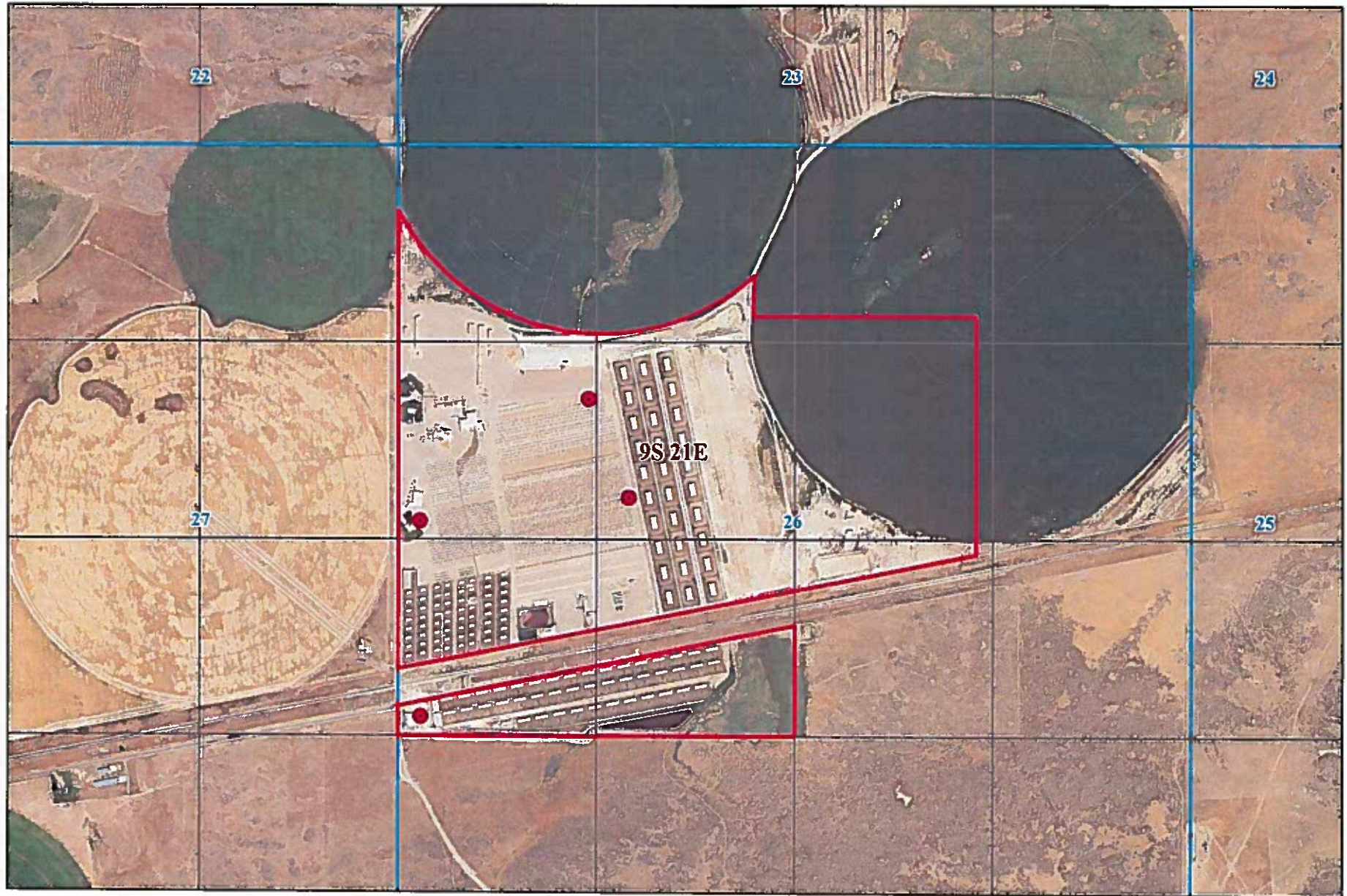
STATE OF Idaho)
County of Twin Falls)ss.

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

Attachment 7A
Crestview Calves Stockwater and Commercial Transfer Diversion
System



0 300 600 1,200 Feet

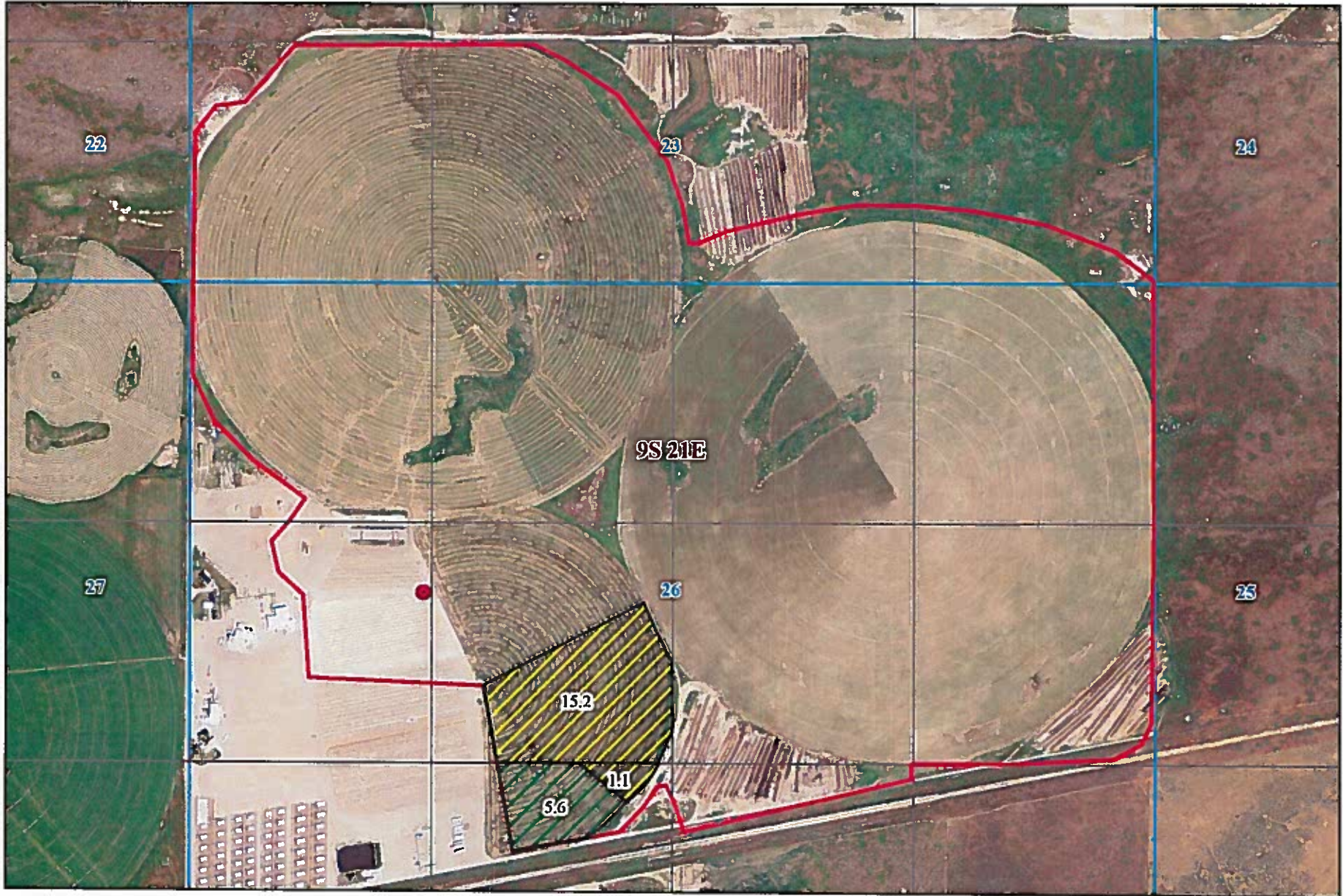
ARLAN MORGAN
TRANSFER MAP STOCKWAY/COMMERCIAL
NAIP 2013 AERIAL

Legend

- Wells
- township
- Stock Comm POU
- Sections
- ladesc



TRANSFER 80864



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



8a-Crestview Transfer-Morgan Transfer 1

The transfer above 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.

Crestview is a calf rearing operation located in 9S 21E Sec. 26 and the NESW, NWSW, NWSE, NESW, NWSW QQs, between Hazelton and Burley, Idaho. The Crestview Calves propose to have 13,500 animal units, or approximately 51,000 calves, between day old and 12 months. Water for the proposed calf operation will be transferred from irrigation water rights currently used for irrigation on the Crestview Farm, adjacent to the calf operation.

The pertinent stockwater rights for this operation are: 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412. Right 36-14632 includes domestic for 5 homes, commercial, and stockwater for 20,000 calves. Rights 36-16408, 36-16410, and 36-16412 include stockwater and commercial for 38,000 calves. Rights 36-16094, 36-16096, and 36-16098 are stockwater only, and are for 20,000 calves. The previous size was 9,500 Animal Units (AU), or 38,000 calves of varying ages less than 3 months old. The Crestview operation would like to expand another 4,000 AU, and include older calf rearing for calves up to 9 months lbs. Pens will be built in the SENW and SWNE QQ's of 09S 21E Sec. 26, and will replace irrigation acres therein.

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 proposed for the transfer is 3.05 ac-ft/acre (Table 1).

The total, current, water rights for the Crestview Calves operation are 127.2 afa and 0.55 cfs. The current water rights included diversion for five homes, 38,000 calves, and commercial use. An additional estimated 49.8 afa and 0.24 cfs are needed to support the expansion to 51,000 calves and additional commercial uses (See Crestview LCO analysis in Exhibit B). The applicant proposes to divert a total of 177.0 afa and 0.79 cfs to supply water for five homes, 51,000 calves, and commercial uses. The estimated diversion rate is slightly higher than the total proportion estimated to be transferred from Crestview Farm irrigation as calculated in the water right calculation (Exhibit C). The summary of estimated use in Table 2 below.

The transfer will cause a transfer in the point of diversion from Crestview Farm (Irrigation) to Crestview Calves, both of which are in the ESPA. The Point of Diversion for the irrigation is in SP075046 and the current stock and commercial diversions are in SPO075045. The cells are adjacent in the ESPA grid, and the physical location of the PODs are in close proximity (Exhibit D: Well Locations in ESPA). Therefore, no ESPA modeling is required (Exhibit E: Memo). . The irrigation and calf operation are hydraulically connected, and the applicant seeks to add the irrigation POD to the existing and additional stockwater and commercial rights.

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 Crestview LCO Analysis		
Total drinking water volume	172.0	ac-ft/year
Total commercial volume	5.0	ac-ft/year
Current total stock and commercial volume	127.25	ac-ft/year
Current total stock and commercial rate	0.55	cfs
TOTAL ADDITIONAL DIVERSION VOLUME NEEDED TO TRANSFER	49.8	AC-FT/YR
PEAK DAY ANNUAL DIVERSION RATE*	362.1	GPM
*full day in 7.5 hrs (8hrs/1.1)	0.81	cfs
Annual crop consumptive use**	3.05	afa
**P _{def} Avg(Hazelton-Burley) Alfalfa Frequent Cutting		
Equivalent irrigated acres	16.3	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

FSA - 578 (02-01-91)

Farm Number: 4030

Operator Name and Address

MORGAN HAY FARMS LLC
307 N 1150 W
PAUL, ID 83347-4903REPORT OF COMMODITIES
FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2010

DATE: 8-7-2015

PAGE: 1

Original: _____

Revision: _____

Cropland: 331.30

Farmland: 880.00

Tract Number	CLU/Field	Crop/Commodity	Variety/Type	Irr Pct	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		I	A	129.60		Yes			4-15-2009			
		Producer: MORGAN HAY FARMS LLC						Share	100.00		RMA Unit						
	2	FALLOW		N			I	A	1.70		Yes						
		Producer: MORGAN HAY FARMS LLC						Share	100.00		RMA Unit						
	3	ALFAL		I	FG		I	A	42.00		Yes			4-15-2009			
		Producer: MORGAN HAY FARMS LLC						Share	100.00		RMA Unit						
	4	ALFAL		I	FG		I	A	158.00		Yes			4-12-2006			
		Producer: MORGAN HAY FARMS LLC						Share	100.00		RMA Unit						
CriCo	Var/Type	Irr Pct	Int Use	Non-Irrig	Irrigated	CriCo	Var/Type	Irr Pct	Int Use	Non-Irrig	Irrigated	CriCo	Var/Type	Irr Pct	Int Use	Non-Irrig	Irrigated
FALLOW		N		1.70		ALFAL		I	FG		329.60						
Photo Number/Legal Description: TRANSFER FROM JEROME/SEC 23.38-9-21																	
Cropland: 331.30					Reported on Cropland: 331.30					Difference: 0.00			Reported on Non-Cropland: 0.00				

Minidoka, Idaho

FSA - 578 (02-01-91)

Farm Number: 4030

Operator Name and Address

MORGAN HAY FARMS LLC
307 N 1150 W
PAUL, ID 83347-4903REPORT OF COMMODITIES
FARM SUMMARY

PROGRAM YEAR: 2010

DATE: 8-7-2015

PAGE: 2

Original: _____

Revision: _____

Cropland 331.3

Farmland 080.0

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

Producer Name				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	FO	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.

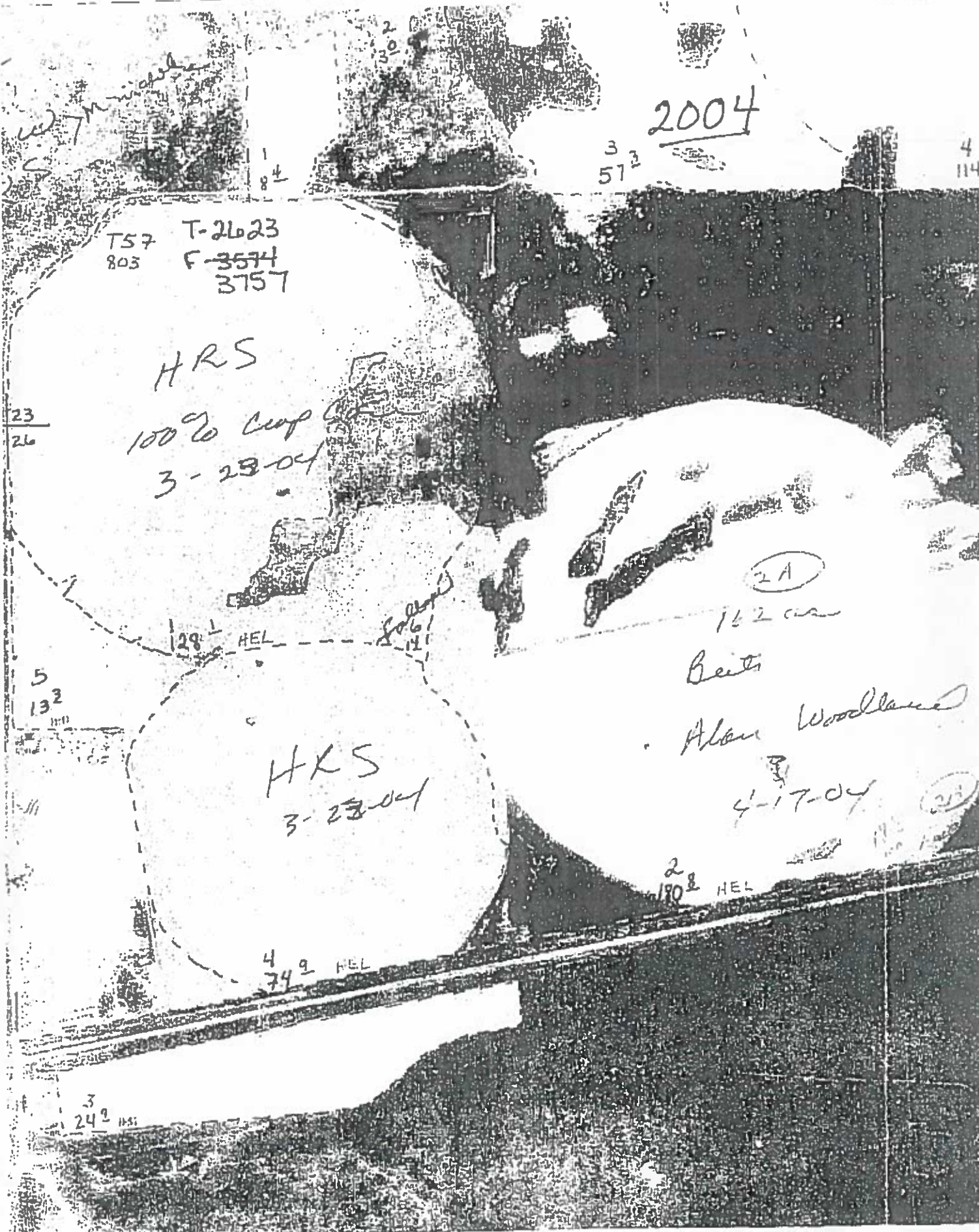


Exhibit B- Livestock Confinement Operations (LCO)

Livestock Confinement Operations

Water Requirements

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**
Crestview Calves Expansion

Revision: 9801
Run Date: 8/3/2015

Remarks: 0.2 AU=1calf, 7500 calves total: 1-150 days; 0.7 AU=500lb calf 7-9months.
Current water right 38,000. Increase by 6,600, 500lb calves

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	13500	67500	7500
Calves at age:	AU		
1 month	7400	1480	0
2 months	7400	1480	0
3 months	7400	1480	0
4 months	7400	1480	
5 months	7400	1480	
6 months	7400	1480	
7 months	2200	1540	
8 months	2200	1540	
9 months	2200	1540	
10 months	0		
11 months	0		
12 months	0		
Total	51000	13500	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	2
Average days dry			
Annual milk yield per animal	lbs/year		
Percent dry matter in ration	%		

Stockwater Component

Drinking Water Calculation for Replacement Herd (Calves and Heifers)

Age	consumption	GPD	Ac-Ft/year
1 mo	1.7 gal/day	12210	13.68
2 mo	2.0 gal/day	14430	16.16
3 mo	2.5 gal/day	18130	20.31
4 mo	3.3 gal/day	24050	26.94
5 mo	4.2 gal/day	31080	34.82
6 mo	4.4 gal/day	32389	36.28
7 mo	4.6 gal/day	10018	11.22
8 mo	4.7 gal/day	10408	11.66
9 mo	4.9 gal/day	10797	12.09
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 replacement herd	163512	gpd	183.17	ac-ft/year
Waste Milk	4000	gpd	4.48	ac-ft/year
Milk Concentrate	6000	gpd	6.72	ac-ft/year
TOTAL STOCKWATER COMPONENT			171.97	AC-FT/YEAR

Commercial Component

Milk Carts	8.00	
Washings	2.00	per day
gal/washing	200	
Total Current Cart Wash	3200	gal/day
	3.58	ac-ft/year
Overestimate Rate	1.4	
Other Use and Future Use Allowance	1280	gal/day
	1.43	ac-ft/year

Holding Pen Water Usage Calculation

Commercial Use Total	1635324.28	gal/day
	5.02	ac-ft/year
TOTAL COMMERCIAL COMPONENT		5.0 AC-FT/YEAR

Crestview Calves Summary

Drinking Water

Replacement herd (calves and heifers)	183.2 ac-ft/year
Waste Milk-Drinking water offset	4.48 ac-ft/year
Milk Concentrate-Drinking water offset	6.72 ac-ft/year
Total drinking water volume	172.0 ac-ft/year

Commercial

Holding pen and cleanup	5.0 ac-ft/year
Total commercial volume	5.0 ac-ft/year

Total Volume

TOTAL DIVERSION VOLUME REQUIREMENT	177.0 AC-FT/YR
Current Diversion (Existing WRs)	127.2 AC-FT/YR
TOTAL VOLUME NEEDED TO TRANSFER	49.8 AC-FT/YR

Total Diversion Rate

AVERAGE ANNUAL DIVERSION RATE*	109.7 GPM
*24 hrs per day	0.24 cfs
WORK DAY ANNUAL DIVERSION RATE**	329.2 GPM
**8 hrs per day	0.73 cfs
PEAK DAY ANNUAL DIVERSION RATE**	362.1 GPM
**full day diversion in 5.3 hrs (8hrs/1.1)	0.81 cfs

Irrigation Acres Required for Stockwater Consumptive Use

Annual crop consumptive use***	3.05 afa
***P _{del} Avg(Hazleton-Burley) Alfalfa Frequent Cutting	
Equivalent irrigated acres	16.32 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			0.24	72.21	18.05	4%		0.08	24.78	6.20	1%		5.44	1630.9	407.8	

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					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				
Period	214.00	days		0.24	65.28	16.32	65.28
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	Acres	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

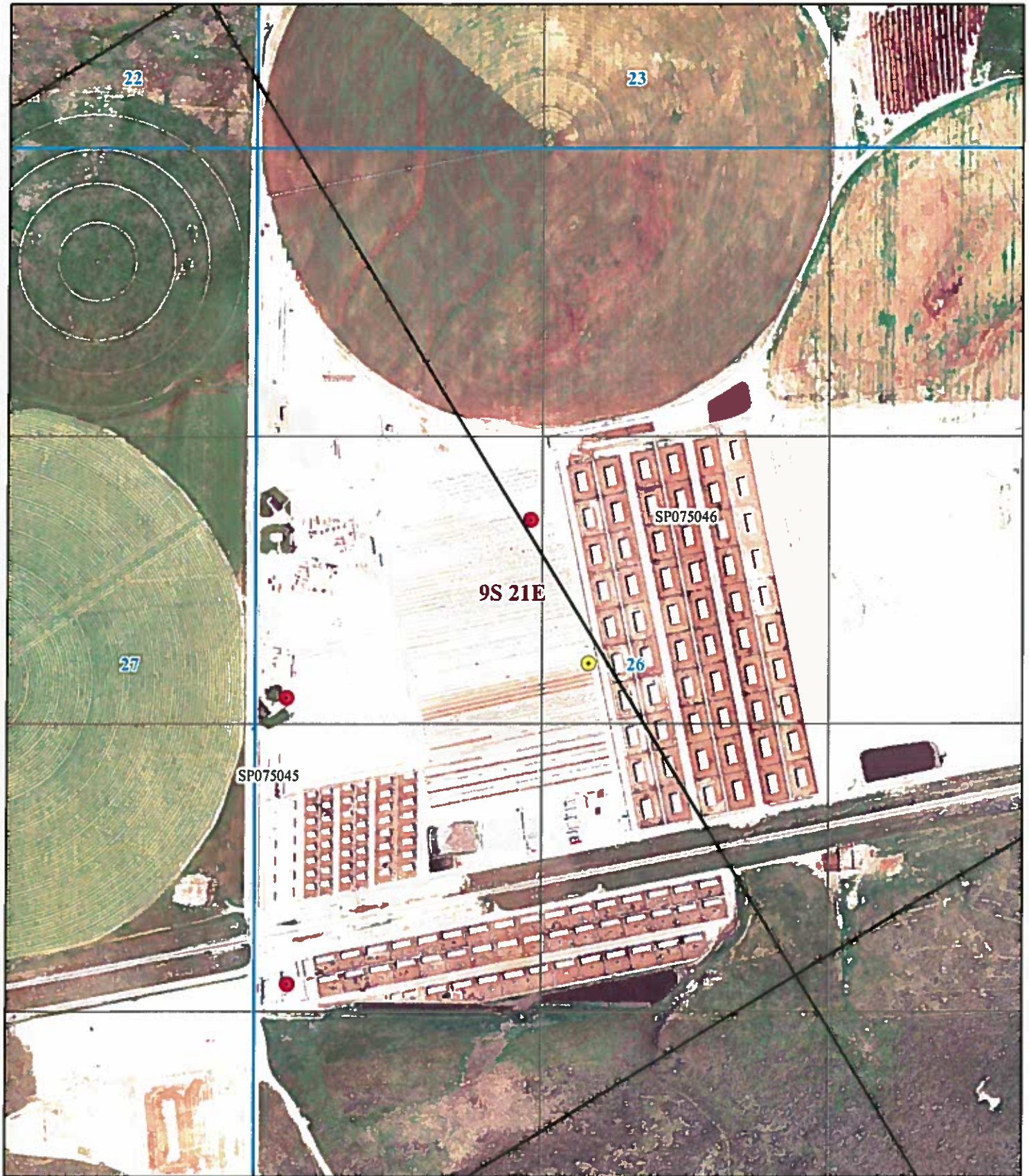
Riverview Multiple Irrigation to Multiple Stock

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 %
	0.08	CFS	5.68	CFS	5.76	
Total	22.40	AFA	1539.6	AFA	1562.00	
	5.60	Acres	384.9	Acres	390.5	100.0%

Exhibit D- Well Locations in ESPA



0 0.045 0.09 0.18 Miles

ARLEN, MORGAN
WELLS LOCATIONS IN ESPA
NAIP 2013 AERIAL

Legend

- Wells**
- Existing Well
 - New Well
 - Model Grid
- townshp
Sections
ladesc



Exhibit E- Memo

REVISED

MEMORANDUM

Date: March 28, 2007
To: Transfer 72741
From: cskinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes converting a 20.5 acre portion of irrigation rights 36-16093, 36-16095, and 36-16097 to stock water and commercial use associated with an existing CAFO and a new CAFO (to be located adjacent to the existing CAFO) approximately 8.5 miles east and 1.0 mile north of Hazelton. The application also proposes modifying the existing water rights (36-14632, 36-16094, 36-16096, and 36-16098) at the existing CAFO to allow for use at the new CAFO if needed (change in POU). The 20.5-acre portion of the irrigation rights being converted is appurtenant to the new CAFO site. Two existing wells, located at the existing CAFO site, will provide water to the existing and new CAFOs (both calf-rearing operations). The wells are located within the ESPA and Water District 130. One item of note relates to the 20.5-acre portion of irrigation rights 36-16093, 36-16095, and 36-16097 that is being converted to stock water and commercial use. Rights 36-16093, 36-16095, and 36-16097 currently allow for the irrigation of 411.0 acres as a result of approved Transfer # 70375 which consolidated these rights into a smaller place of use. Only the oldest of these three rights, 36-16097, has an acre limit (295.2 acres within the 411.0 acres). These particular acres are fully covered at 4.0 afa per acre by right 36-16097, with the other two rights providing additional rate for these same acres, and additional acres and volume for the remaining 411.0 acres. The transfer proposes converting 20.5 acres of the 295.2 acres covered by the oldest right, 36-16097, which would provide all of the volume. The other two rights provide rate but not volume for the 20.5 acres being dried up. This transfer proposes to proportionately reducing the rate on these two rights to reflect the drying up the the 20.5 acres. In addition, the volume listed on right 36-16095 is based on the diversion rate capacity, so the untransferred portion of right 36-16095 needs to have its volume reduced to reflect the reduction in diversion rate.

• Authority to File:

The applicants are listed as the current owners of the rights being transferred according to IDWR records.

• Water Right Validity:

The rights involved with the transfer have been decreed in the SRBA or are based on a license.

• Injury to Other Water Rights:

None anticipated. Wells are located within the same groundwater model cell.

• Enlargement of Use:

None anticipated. The irrigation to stock water and commercial use conversion is based on an IR value (2.6 afa per acre for Sugar Beets in the Hazelton area) for the acres being dried up. Basing the conversion on an IR value, 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:

Application will be subject to public notice and protest.

• Beneficial Use/Conservation of Water Resources:

Proposed uses are recognized as beneficial uses of water.

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.

WARRANTY DEED

EC-1407

RECEIVED

MAY 11, 2016

For Value Received

DEPT OF WATER RESOURCES
SOUTHERN REGION

Carl W. Bailey and Stephanie G. Bailey, husband and wife

Instrument # 2054003

JEROME COUNTY, JEROME, IDAHO

2005-07-27

04:34:02 No. of Pages: 5

Recorded for : LAND TITLE & ESCROW

CHERYL WATTS

Fee: 15.00

Ex-Officio Recorder Deputy



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

Cody G. Morgan and Kathy J. Morgan, husband and wife

**Address: 756 South 2800 East
Hazelton, Idaho 83335**

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

See attached Exhibit "A" for legal description

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Adjudication Nos. 36-16093, 36-16095 and 36-16097.

SUBJECT TO:

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

2005 taxes and subsequent years.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Reservations of all oil and gas together with the right to prospect for, mine and remove such deposits as set forth in United States Patent dated March 30, 1966, recorded April 1, 1966 in Book 182 Page 120 as Instrument No. 167624, Jerome County records.

Power Line Easement in favor of Idaho Power Company recorded October 24, 1980 as Instrument NO. 253045, Jerome County records.

A 25 foot wide county road right of way along the West side of the above described parcel as disclosed in Quitclaim Deed dated September 3, 1992, recorded September 3, 1992 as Instrument No. 923004, Jerome County records.

Power Line Easement given by Carl W. Bailey and Stephanie G. Bailey, his wife, to Idaho Power Company, a corporation, dated February 23, 1993, recorded August 4, 1993 as Instrument No. 932863, Jerome County records.

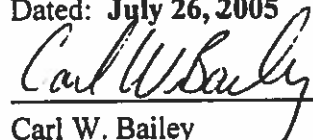
TRANSFER 80864

Mineral Deed between Union Pacific Railroad Company, a corporation of the State of Utah, Grantor, and Union Pacific Land Resources Corporation, a corporation of the State of Nebraska, Grantee, dated April 1, 1971, recorded November 22, 1993 as Instrument No. 934368, Jerome County, Idaho.

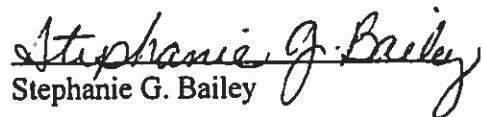
Power Line Easement given by Carl W. Bailey and Stephanie G. Bailey, his wife, to Idaho Power Company, a corporation, dated February 23, 1993, recorded August 4, 1993 as Instrument No. 932863, Jerome County records.

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: **July 26, 2005**



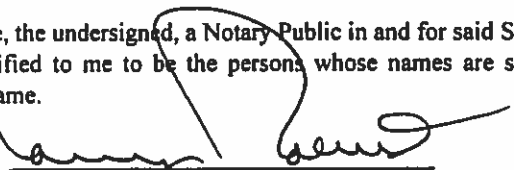
Carl W. Bailey



Stephanie G. Bailey

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 27th day of July, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **Carl W. Bailey and Stephanie G. Bailey**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

Larry Roberts
Notary Public
State of Idaho

EXHIBIT "A"

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 23: S½SE¼;

Section 26: NE¼; NW¼SE¼;

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 23: S½SW¼;

EXCEPTING THEREFROM part of the SW¼SW¼ lying North and West of the County
Road Right of Way,

Section 26: NW¼; N½SW¼;

EXCEPTING THEREFROM right of way for railroad in Section 26.

EXCEPTING THEREFROM the following tracts:

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: Part of the NW¼, more particularly described as follows:

Beginning at the West Quarter corner of Section 26, Township 9 South, Range 21
East Boise Meridian, said corner marked by a 5/8" rebar;
Thence North 00°01'55" West (North 00°09'33" West rec.) along the West line of
the NW¼ for a distance of 644.17 feet to a ½" rebar which shall be THE
POINT OF BEGINNING;
Thence North 0°01'55" West continuing along said line for a distance of 252.41
feet to a ½" rebar;
Thence North 89°58'48" East for a distance of 274.48 feet to a ½" rebar;
Thence South 10°10'35" West (South 10°02'11" West rec.) for a distance of
300.02 feet to a ½" rebar;
Thence North 79°03'24" West (North 79°09'53" West rec.) for a distance of
225.43 feet to THE POINT OF BEGINNING.

SUBJECT TO a county road right of way along the West side and any other
easements or rights of way or record or use.

FURTHER EXCEPTING THEREFROM:

- Continued -

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: Part of the NW $\frac{1}{4}$ and part of the SW $\frac{1}{4}$, described as follows:

Beginning at the West Quarter corner of Section 26, Township 9 South, Range 21 East Boise Meridian, said corner marked by a $\frac{5}{8}$ " rebar;
Thence South 0°06'09" West (South 00°02'00" East rec.) along the West line of the SW $\frac{1}{4}$ for a distance of 54.22 feet to a $\frac{1}{2}$ " rebar which shall be THE TRUE POINT OF BEGINNING;
Thence North 78°49'59" East (North 78°41'21" West rec.) for a distance of 549.45 feet to a $\frac{1}{2}$ " rebar;
Thence North 00°01'43" West (North 00°09'33" West rec.) for a distance of 844.58 feet (844.41 feet rec.) to a $\frac{1}{2}$ " rebar;
Thence North 89°58'48" East for a distance of 25.79 feet to a $\frac{1}{2}$ " rebar;
Thence South 09°26'59" East for a distance of 1086.36 feet to a $\frac{1}{2}$ " rebar;
Thence along a non-tangent curve to the left for a distance of 692.08 feet to a $\frac{1}{2}$ " rebar, said curve having a radius of 1047.66 feet and a central angle of 37°50'57" and a long chord bearing of South 53°42'44" East for a distance of 679.56 feet;
Thence South 00°06'09" West for a distance of 56.99 feet to a $\frac{1}{2}$ " rebar on the North railroad right of way;
Thence South 78°48'18" West along said right of way for a distance of 1316.99 feet to a $\frac{1}{2}$ " rebar on the West line of the SW $\frac{1}{4}$;
Thence North 00°06'09" East along said line for a distance of 835.50 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO a county road right of way along the West and a 24 foot access easement along the South side and any other easements or rights of way of record or use.

FURTHER EXCEPTING:

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: Part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at the West Quarter section corner of Section 26, Township 9 South, Range 21 East Boise Meridian, said corner marked by a U.S. Reclamation Service iron pipe which shall be THE TRUE POINT OF BEGINNING;
Thence North 0°09'33" West along the West line of Section 26 for 644.17 feet to a $\frac{1}{2}$ " rebar;

- Continued -

Thence South 79°09'53" East for 225.43 feet to a ½" rebar;
Thence North 10°02'11" East for 300.02 feet to a ½" rebar;
Thence North 89°50'27" East for 264.55 feet to a ½" rebar;
Thence South 0°09'33" East for 844.41 feet to a ½" rebar;
Thence South 78°41'21" West for 549.45 feet to a ½" rebar on section line;
Thence North 0°02'00" West along section line for 54.22 feet to THE POINT OF BEGINNING;

FURTHER EXCEPTING THEREFROM all that land lying South of the rail road right of way in the N½ of the SW¼ and NW¼SE¼.

EXCEPTING THEREFROM part of the NW¼ in Section 26 of Township 9 South, Range 21 East of the Boise Meridian, Jerome County, Idaho, described as follows:

Beginning at the Northwest section corner of Section 26, Township 9 South, Range 21 East of the Boise Meridian, said corner marked by a ¾" rebar;
Thence South 00°01'55" East along the West section line for a distance of 373.41 feet to a ½" rebar which shall be the POINT OF BEGINNING;
Thence along a non-tangent curve to the left for a distance of 1481.30 feet to a ½" rebar, said curve having a radius of 1397.75 feet and a central angle of 60°43'14" and a long chord bearing of South 46°33'05" East for a distance of 1412.94 feet;
Thence along a non-tangent curve to the left for a distance of 742.20 feet to a ½" rebar, said curve having a radius of 1047.66 feet and a central angle of 40°35'24" and a long chord bearing of South 36°11'00" West for a distance of 726.77 feet;
Thence North 09°26'59" West for a distance of 189.65 feet;
Thence South 89°58'48" West (South 89°50'27" West recorded) for a distance of 564.82 feet to a ½" rebar on the West section line;
Thence North 00°01'55" West along said line for a distance of 1371.41 feet to the POINT OF BEGINNING.

RECEIVED

MAY 13 2016

JEROME COUNTY TAX INFORMATION

TEVIAN KOBER
JEROME COUNTY TAX COLLECTOR
300 N. LINCOLN, STE. 309
JEROME, ID 83338
208-644-2720

DEPT OF WATER RESOURCES
SOUTHERN REGION

PIN: RP09S21E263810
AIN:
Code-Area: 021-0000
Tax Year: 2015

Primary Owner/Address:
MORGAN CODY G
PO BOX 95
PAUL ID 83347-0095

Acres: 46.2100

Location: 756 S 2800 E

Values	Amount
Land Value	107,812
Improvement Value	1,042,614
Homeowners Exemption	89,580
Total Taxable	1,060,846

Legal Description:
TAX 8 OF N1/2SW & S1/2SW TAX 12 OF NW1/4, TAX 9,
TAX 10 & TAX 11 OF N1/2SW SEC 26 T9 R21 46.21 AC

Taxing District	Total	Spec. Assessments	Total	Summary
Jerome County	\$5,098.48	Refuse Fee Residential	152.00	Current Year: \$13,562.24
Jail Bond	\$573.48			Delinquent Year: \$0.00
Sch #331 Bonds/Tort/Jdgmnt:	\$1,453.73			Interest: \$0.00
School #331 Supplemental	\$1,611.40			Late Charge: \$0.00
Hillsdale Highway	\$2,043.99			Fees: \$0.00
Hazelton Cemetery	\$86.66			Paid: \$13,562.24
West End Fire	\$1,120.41			Amount Due: \$0.00
College Southern Idaho	\$1,015.86	Urban Renewal	Total	Balance good until: 05/12/2016
Lifeline Ambulance	\$406.23			Tax Year: 2015
				Bill Number: 129427

INSTALLMENT SUMMARY - Balance Good Until: 05/12/2016

1ST HALF:	December 20, 2015	\$0.00	Due
2ND HALF:	June 20, 2016	\$0.00	Due

QUITCLAIM DEED

For Value Received

LEE FRANKLIN MORGAN also known as LEE F. MORGAN and BETTY JO MORGAN, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

CODY G. MORGAN and KATHY J. MORGAN, husband and wife

ADDRESS: 756 South 2000 East
Hazelton, Idaho 83335

Hereinafter called the grantees, the following described premises in Jerome County, Idaho to wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantees, and the grantees's heirs and assigns forever.

Dated: September 3rd, 1992

Lee Franklin Morgan
LEE FRANKLIN MORGAN a/k/a
LEE F. MORGAN

Betty Jo Morgan
BETTY JO MORGAN

STATE OF IDAHO, COUNTY OF *Cassia*
On this 3rd day of September 1992,
before me, a notary public in and for said State, personally appeared

LEE FRANKLIN MORGAN a/k/a
LEE F. MORGAN and
BETTY JO MORGAN

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Nancy Garrett
Notary Public

Residing at *Burley* Idaho
Commission expires 2-5-96

NANCY GARRETT
NOTARY PUBLIC
STATE OF IDAHO

RENEWED AT BURLEY ID
MY COMMISSION EXPIRES

Instrument No.

923004

EXHIBIT "A"

Part of the SW¹/₄ and part of the NW¹/₄ of Section 26 of Township 9 South, Range 21 East of the 6th Meridian, Jerome County, Idaho.

Beginning at the west corner of Section 26 of T. 9 S., R. 21 E., S. 4 N., and corner marked by U. S. Reclamation Service monument which shall be the point of beginning:

Thence N 0° 09' 13" W along the west line of Section 26 for 664.17 feet to a 5" nail;
Thence S 79° 09' 53" E for 225.03 feet to a 1" nail;
Thence N 10° 02' 11" E for 100.02 feet to a 3" nail;
Thence N 89° 40' 27" E for 264.54 feet to a 7" nail;
Thence S 0° 09' 43" E for 354.01 feet to a 1 1/2" nail;
Thence S 78° 51' 21" W for 504.45 feet to a 2" nail on section line;
Thence N 0° 02' 00" W along section line for 750 feet to the point of beginning.

Containing 9.53 acres more or less and is subject to a 25 foot wide county road right of way along the west side.

JEROME COUNTY TAX INFORMATION

TEVIAN KOBER
JEROME COUNTY TAX COLLECTOR
300 N. LINCOLN, STE. 309
JEROME, ID 83338
208-644-2720

PIN: RP09S21E267897
AIN:
Code-Area: 021-0000
Tax Year: 2015

Primary Owner/Address:
MORGAN CODY G
PO BOX 95
PAUL ID 83347-0095

Acres: 26.2100

Values	Amount
Land Value	524
Total Taxable	524

Location:

Legal Description:
TAX 5 OF NWSE SEC 26 T9 R21 26.21 AC

Taxing District	Total	Spec. Assessments	Total	Summary
Jerome County	\$2.52			Current Year: \$6.62
Jail Bond	\$0.28			Delinquent Year: \$0.00
Sch #331 Bonds/Tort/Jdgmnt:	\$0.72			Interest: \$0.00
School #331 Supplemental	\$0.80			Late Charge: \$0.00
Hillsdale Highway	\$1.01			Fees: \$0.00
Hazellon Cemetery	\$0.04			Paid: \$6.62
West End Fire	\$0.55			Amount Due: \$0.00
College Southern Idaho	\$0.50	Urban Renewal	Total	Balance good until: 05/12/2016
Lifeline Ambulance	\$0.20			Tax Year: 2015
				Bill Number: 129084

INSTALLMENT SUMMARY - Balance Good Until: 05/12/2016

1ST HALF:	December 20, 2015	\$0.00	Due
2ND HALF:	June 20, 2016	\$0.00	Due

WARRANTY DEED

No. 1
REC-982

992513

For Value Received

CARL W. BAILEY and STEPHANIE G. BAILEY, husband and wife

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

CODY G. MORGAN and KATHY K. MORGAN, husband and wife
Address: 756 South 2800 East
Hazelton, Idaho 83835

Corrected Time & Extension
May 13 4 15 PM '99
JEROME COUNTY, IDAHO
FEES 6.75 DEP 12.50

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

TOWNSHIP 9 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: That part of the N1/2 SW 1/4 and NW 1/4 SE1/4 lying South
of the Railroad right of way.

Section 23: That part of the SW 1/4 SW 1/4 lying North and West of the County
Road right of way.

EXCEPTING ALL IRRIGATION WATER RIGHTS.

SUBJECT TO:

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

Taxes for 1999 and subsequent years.

Accruing taxes, levies and assessments, easements and rights of way of record if any.

Mortgage in favor Lee F. Morgan and Betty Jo Morgan, husband and wife, which the
Grantee assumes and agrees to pay.

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 warrant 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 Grantee will warrant and defend the same
from all lawful claims whatsoever.

Dated: May 12, 1999

Carl W. Bailey
CARL W. BAILEY

Stephanie G. Bailey
STEPHANIE G. BAILEY

STATE OF IDAHO

COUNTY OF CASSIA

On this 12th day of May, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Carl W. Bailey and Stephanie G. Bailey, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Larry Roberts
Notary Public
State of Idaho

Notary Public
Residing at: Burley, Idaho
My Commission expires: 4-1-03

JEROME COUNTY TAX INFORMATION

TEVIAN KOBER
JEROME COUNTY TAX COLLECTOR
300 N. LINCOLN, STE. 309
JEROME, ID 83338
208-644-2720

PIN: RP09S21E236001
AIN:
Code-Area: 021-0000
Tax Year: 2015

Primary Owner/Address:
MORGAN CODY G
PO BOX 95
PAUL ID 83347-0095

Acres: 80.0000

Location:

Values	Amount
Land Value	50,428
Total Taxable	50,428

Legal Description:
S1/2SW SEC 23 T9 R21 80 AC

Taxing District	Total	Spec. Assessments	Total	Summary
Jerome County	\$242.36	MV Ground Water District	1,233.18	Current Year: \$1,870.64
Jail Bond	\$27.26			Delinquent Year: \$0.00
Sch #331 Bonds/Tort/Jdgmnt	\$69.10			Interest: \$0.00
School #331 Supplemental	\$76.60			Late Charge: \$0.00
Hillsdale Highway	\$97.16			Fees: \$0.00
Hazelton Cemetery	\$4.12			Paid: \$1,870.64
West End Fire	\$53.26			Amount Due: \$0.00
College Southern Idaho	\$48.29	Urban Renewal	Total	Balance good until: 05/12/2016
Lifeline Ambulance	\$19.31			Tax Year: 2015
				Bill Number: 129196

INSTALLMENT SUMMARY - Balance Good Until: 05/12/2016

1ST HALF:	December 20, 2015	\$0.00	Due
2ND HALF:	June 20, 2016	\$0.00	Due

JEROME COUNTY TAX INFORMATION

TEVIAN KOBER
JEROME COUNTY TAX COLLECTOR
300 N. LINCOLN, STE. 309
JEROME, ID 83338
208-644-2720

PIN: RP09S21E238401
AIN:
Code-Area: 021-0000
Tax Year: 2015

Primary Owner/Address:
MORGAN CODY G
PO BOX 95
PAUL ID 83347-0095

Acres: 80.0000

Location:

Values	Amount
Land Value	48,765
Total Taxable	48,765

Legal Description: S1/2SE SEC 23 T9 R21 80 AC
--

Taxing District	Total	Spec. Assessments	Total	Summary
Jerome County	\$234.38	MV Ground Water District	1,359.00	Current Year: \$1,975.44
Jail Bond	\$26.36			Delinquent Year: \$0.00
Sch #331 Bonds/Torl/Jdgmnt	\$66.82			Interest: \$0.00
School #331 Supplemental	\$74.07			Late Charge: \$0.00
Hillsdale Highway	\$93.96			Fees: \$0.00
Hazelton Cemetery	\$3.98			Paid: \$1,975.44
West End Fire	\$51.50			Amount Due: \$0.00
College Southern Idaho	\$46.70	Urban Renewal	Total	Balance good until: 05/12/2016
Lifeline Ambulance	\$18.67			Tax Year: 2015
				Bill Number: 129400

INSTALLMENT SUMMARY - Balance Good Until: 05/12/2016

1ST HALF:	December 20, 2015	\$0.00	Due
2ND HALF:	June 20, 2016	\$0.00	Due

JEROME COUNTY TAX INFORMATION

TEVIAN KOBER
JEROME COUNTY TAX COLLECTOR
300 N. LINCOLN, STE. 309
JEROME, ID 83338
208-644-2720

PIN: RP09S21E260001
AIN:
Code-Area: 021-0000
Tax Year: 2015

Primary Owner/Address:
MORGAN CODY G
PO BOX 95
PAUL ID 83347-0095

Acres: 165.9900

Location:

Values	Amount
Land Value	120,900
Total Taxable	120,900

Legal Description:
TAX 1 OF E1/2 SEC 26 T9 R21 165.99 AC

Taxing District	Total	Spec. Assessments	Total	Summary
Jerome County	\$581.06	MV Ground Water District	2,831.40	Current Year: \$4,359.72
Jail Bond	\$65.36			Delinquent Year: \$0.00
Sch #331 Bonds/Tort/Jdgmnt:	\$165.68			Interest: \$0.00
School #331 Supplemental	\$183.64			Late Charge: \$0.00
Hillsdale Highway	\$232.94			Fees: \$0.00
Hazelton Cemetery	\$9.88			Paid: \$4,359.72
West End Fire	\$127.69			Amount Due: \$0.00
College Southern Idaho	\$115.77	Urban Renewal	Total	Balance good until 05/12/2016
Lifeline Ambulance	\$46.30			Tax Year: 2015
				Bill Number: 128888

INSTALLMENT SUMMARY - Balance Good Until: 05/12/2016

1ST HALF:	December 20, 2015	\$0.00	Due
2ND HALF:	June 20, 2016	\$0.00	Due

JEROME COUNTY TAX INFORMATION

TEVIAN KOBER
JEROME COUNTY TAX COLLECTOR
300 N. LINCOLN, STE. 309
JEROME, ID 83338
208-644-2720

PIN: RP09S21E262405
AIN:
Code-Area: 021-0000
Tax Year: 2015

Primary Owner/Address:
MORGAN CODY G
PO BOX 95
PAUL ID 83347-0095

Acres: 149.9000

Location:

Values	Amount
Land Value	170,688
Improvement Value	857,030
Total Taxable	1,027,718

Legal Description:
TAX 13 OF NW1/4 TAX 7 OF N1/2SW SEC 26 T9 R21
149.90 AC

Taxing District	Total	Spec. Assessments	Total	Summary
Jerome County	\$4,939.29	MV Ground Water District	1,341.36	Current Year: \$14,332.86
Jail Bond	\$555.57			Delinquent Year: \$0.00
Sch #331 Bonds/Tort/Jdgmnt:	\$1,408.33			Interest: \$0.00
School #331 Supplemental	\$1,561.08			Late Charge: \$0.00
Hillsdale Highway	\$1,980.16			Fees: \$0.00
Hazelton Cemetery	\$83.96			Paid: \$14,332.86
West End Fire	\$1,085.42	Urban Renewal	Total	Amount Due: \$0.00
College Southern Idaho	\$984.14			Balance good until: 05/12/2016
Lifeline Ambulance	\$393.55			Tax Year: 2015
				Bill Number: 129471

INSTALLMENT SUMMARY - Balance Good Until: 05/12/2016

1ST HALF:	December 20, 2015	\$0.00	Due
2ND HALF:	June 20, 2016	\$0.00	Due

WARRANTY DEED

EC-1407

For Value Received

Instrument # 2054003

JEROME COUNTY, JEROME, IDAHO

2005-07-27

04:34:02 No. of Pages: 5

Recorded for : LAND TITLE & ESCROW

CHERYL WATTS

Fee: 15.00

Ex-Officio Recorder Deputy



Carl W. Bailey and Stephanie G. Bailey, husband and wife

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

Cody G. Morgan and Kathy J. Morgan, husband and wife

Address: 756 South 2800 East

Hazelton, Idaho 83335

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

See attached Exhibit "A" for legal description

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Adjudication Nos. 36-16093, 36-16095 and 36-16097.

SUBJECT TO:

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

2005 taxes and subsequent years.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Reservations of all oil and gas together with the right to prospect for, mine and remove such deposits as set forth in United States Patent dated March 30, 1966, recorded April 1, 1966 in Book 182 Page 120 as Instrument No. 167624, Jerome County records.

Power Line Easement in favor of Idaho Power Company recorded October 24, 1980 as Instrument NO. 253045, Jerome County records.

A 25 foot wide county road right of way along the West side of the above described parcel as disclosed in Quitclaim Deed dated September 3, 1992, recorded September 3, 1992 as Instrument No. 923004, Jerome County records.

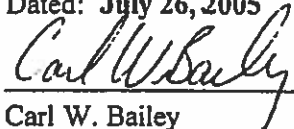
Power Line Easement given by Carl W. Bailey and Stephanie G. Bailey, his wife, to Idaho Power Company, a corporation, dated February 23, 1993, recorded August 4, 1993 as Instrument No. 932863, Jerome County records.

Mineral Deed between Union Pacific Railroad Company, a corporation of the State of Utah, Grantor, and Union Pacific Land Resources Corporation, a corporation of the State of Nebraska, Grantee, dated April 1, 1971, recorded November 22, 1993 as Instrument No. 934368, Jerome County, Idaho.

Power Line Easement given by Carl W. Bailey and Stephanie G. Bailey, his wife, to Idaho Power Company, a corporation, dated February 23, 1993, recorded August 4, 1993 as Instrument No. 932863, 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.

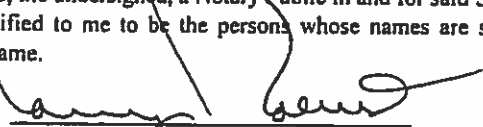
Dated: July 26, 2005


Carl W. Bailey


Stephanie G. Bailey

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 27th day of July, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Carl W. Bailey and Stephanie G. Bailey, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

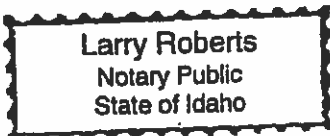


EXHIBIT "A"

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 23: S $\frac{1}{2}$ SE $\frac{1}{4}$;

Section 26: NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$;

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 23: S $\frac{1}{2}$ SW $\frac{1}{4}$;

EXCEPTING THEREFROM part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying North and West of the County
Road Right of Way;

Section 26: NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$;

EXCEPTING THEREFROM right of way for railroad in Section 26.

EXCEPTING THEREFROM the following tracts:

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: Part of the NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the West Quarter corner of Section 26, Township 9 South, Range 21
East Boise Meridian, said corner marked by a $\frac{5}{8}$ " rebar;
Thence North 00°01'55" West (North 00°09'33" West rec.) along the West line of
the NW $\frac{1}{4}$ for a distance of 644.17 feet to a $\frac{1}{2}$ " rebar which shall be THE
POINT OF BEGINNING;
Thence North 0°01'55" West continuing along said line for a distance of 252.41
feet to a $\frac{1}{2}$ " rebar;
Thence North 89°58'48" East for a distance of 274.48 feet to a $\frac{1}{2}$ " rebar;
Thence South 10°10'35" West (South 10°02'11" West rec.) for a distance of
300.02 feet to a $\frac{1}{2}$ " rebar;
Thence North 79°03'24" West (North 79°09'53" West rec.) for a distance of
225.43 feet to THE POINT OF BEGINNING.

SUBJECT TO a county road right of way along the West side and any other
easements or rights of way or record or use.

FURTHER EXCEPTING THEREFROM:

- Continued -

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: Part of the NW¼ and part of the SW¼, described as follows:

Beginning at the West Quarter corner of Section 26, Township 9 South, Range 21 East Boise Meridian, said corner marked by a 5/8" rebar;
Thence South 0°06'09" West (South 00°02'00" East rec.) along the West line of the SW¼ for a distance of 54.22 feet to a 1/2" rebar which shall be THE TRUE POINT OF BEGINNING;
Thence North 78°49'59" East (North 78°41'21" West rec.) for a distance of 549.45 feet to a 1/2" rebar;
Thence North 00°01'43" West (North 00°09'33" West rec.) for a distance of 844.58 feet (844.41 feet rec.) to a 1/2" rebar;
Thence North 89°58'48" East for a distance of 25.79 feet to a 1/2" rebar;
Thence South 09°26'59" East for a distance of 1086.36 feet to a 1/2" rebar;
Thence along a non-tangent curve to the left for a distance of 692.08 feet to a 1/2" rebar, said curve having a radius of 1047.66 feet and a central angle of 37°50'57" and a long chord bearing of South 53°42'44" East for a distance of 679.56 feet;
Thence South 00°06'09" West for a distance of 56.99 feet to a 1/2" rebar on the North railroad right of way;
Thence South 78°48'18" West along said right of way for a distance of 1316.99 feet to a 1/2" rebar on the West line of the SW¼;
Thence North 00°06'09" East along said line for a distance of 835.50 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO a county road right of way along the West and a 24 foot access easement along the South side and any other easements or rights of way of record or use.

FURTHER EXCEPTING:

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: Part of the SW¼NW¼ and part of the NW¼SW¼, described as follows:

Beginning at the West Quarter section corner of Section 26, Township 9 South, Range 21 East Boise Meridian, said corner marked by a U.S. Reclamation Service iron pipe which shall be THE TRUE POINT OF BEGINNING;
Thence North 0°09'33" West along the West line of Section 26 for 644.17 feet to a 1/2" rebar;

- Continued -

Thence South 79°09'53" East for 225.43 feet to a ½" rebar;
Thence North 10°02'11" East for 300.02 feet to a ½" rebar;
Thence North 89°50'27" East for 264.55 feet to a ½" rebar;
Thence South 0°09'33" East for 844.41 feet to a ½" rebar;
Thence South 78°41'21" West for 549.45 feet to a ½" rebar on section line;
Thence North 0°02'00" West along section line for 54.22 feet to THE POINT OF
BEGINNING;

FURTHER EXCEPTING THEREFROM all that land lying South of the rail road right of way in the N½ of the SW¼ and NW¼SE¼.

EXCEPTING THEREFROM part of the NW¼ in Section 26 of Township 9 South, Range 21 East of the Boise Meridian, Jerome County, Idaho, described as follows:

Beginning at the Northwest section corner of Section 26, Township 9 South, Range 21 East of the Boise Meridian, said corner marked by a ¾" rebar;
Thence South 00°01'55" East along the West section line for a distance of 373.41 feet to a ½" rebar which shall be the POINT OF BEGINNING;
Thence along a non-tangent curve to the left for a distance of 1481.30 feet to a ½" rebar, said curve having a radius of 1397.75 feet and a central angle of 60°43'14" and a long chord bearing of South 46°33'05" East for a distance of 1412.94 feet;
Thence along a non-tangent curve to the left for a distance of 742.20 feet to a ½" rebar, said curve having a radius of 1047.66 feet and a central angle of 40°35'24" and a long chord bearing of South 36°11'00" West for a distance of 726.77 feet;
Thence North 09°26'59" West for a distance of 139.65 feet;
Thence South 89°58'48" West (South 89°50'27" West recorded) for a distance of 564.82 feet to a ½" rebar on the West section line;
Thence North 00°01'55" West along said line for a distance of 1371.41 feet to the POINT OF BEGINNING.

WARRANTY DEED

J-24204
-FC1054

Instrument # 2001657
JEROME COUNTY JEROME CLERK
2000-04-07 11:46:30 No of Pages: 3
Recorded for: LAND TITLE & ESCROW
CHERYL WATTS Fee \$15
Ex-Office Recorder Deput *S. J. Miller*

For Value Received

CARL W. BAILEY and STEPHANIE G. BAILEY, husband and wife

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

CODY G. MORGAN and KATHY J. MORGAN, husband and wife
Address: 756 SOUTH 2800 EAST, HAZELTON, ID 83335

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

SEE ATTACHED EXHIBIT "A"

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.

2000 Taxes and subsequent years.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company dated August 21, 1907, Recorded in Book 15 Page 559, Jerome County records.

Reservations of all oil and gas from Parcel 1 together with the right to prospect for, mine and remove such deposits as set forth in United States Patent dated March 30, 1966, recorded April 1, 1966 in Book 182 Page 120 as Instrument Number 167624, Jerome County records.

Power line Easement in favor of Idaho Power Company recorded October 24, 1980 as Instrument Number 253045, Jerome County records, affecting a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26.

The effects of tax deeds recorded as Instrument Numbers 314882, 314883, 314884, 314885, 314886, and 314887, Jerome County records, which convey all oil, gas and mineral rights on the property to Jerome County.

Financing Statements, Seed and Farm Laborer's Liens against crops which are filed in the office of the Secretary of State.

Mineral Deed between Union Pacific Railroad Company, a corporation of the State of Utah, Grantor, and Union Pacific Land Resources Corporation, a corporation of the State of Nebraska,

Grantee, dated April 1, 1971, recorded November 22, 1993 as Instrument Number 934368, Jerome County records.

Power Line Easement given by Carl W. Bailey and Stephanie G. Bailey, his wife, to Idaho Power Company, a corporation, dated February 23, 1993, recorded August 4, 1993 as Instrument Number 932853, Jerome County records, affecting a parcel of land in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, Township 9 South, Range 21, East Boise Meridian, Jerome County, Idaho.

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 6, 2000

Carl W. Bailey
CARL W. BAILEY

Stephanie G. Bailey
STEPHANIE G. BAILEY

STATE OF IDAHO

COUNTY OF CASSIA

On this 6 day of April, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared CARL W. BAILEY and STEPHANIE G. BAILEY, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Barbara Ehle
Notary Public
Residing at: Butte, Idaho
My Commission expires: 6-12-2003

BARBARA EHLE
NOTARY PUBLIC
STATE OF IDAHO

RENEWAL COMES ON
MY COMMISSION EXPIRES 6-12-2003

EXHIBIT "A"

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: Part of the NW¼, described as follows:

Beginning at the Northwest section corner of Section 26, Township 9 South,
Range 21 East of the Boise Meridian, said corner marked by a 5/8" rebar;
Thence South 00°01'55" East along the West section line for a distance of 373.41
feet to a 1/2" rebar which shall be the POINT OF BEGINNING;
Thence along a non-tangent curve to the left for a distance of 1481.30 feet to a 1/2"
rebar, said curve having a radius of 1397.75 feet and a central angle of
60°45'14" and a long chord bearing of South 46°33'05" East for a distance
of 1412.94 feet;
Thence along a non-tangent curve to the left for a distance of 742.20 feet to a 1/2"
rebar, said curve having a radius of 1047.66 feet and a central angle of
40°35'24" and a long chord bearing of South 36°11'00" West for a distance
of 726.77 feet;
Thence North 09°26'59" West for a distance of 189.65 feet;
Thence South 89°58'48" West (South 89°50'27" West recorded) for a distance of
564.82 feet to a 1/2" rebar on the West section line;
Thence North 00°01'55" West along said line for a distance of 1371.41 feet to the
POINT OF BEGINNING.

THOMSON REUTERS

AUMENTUM *Jerome*PIN: **RP09S21E277790**TAG: **TAG 021-0000**Current owner: **MORGAN CODY(more)**

AIN:

TIF:

Ownership type: **Community Property with Rights of Survivorship**Status: **Active**County: **27-Jerome**

Situs address:

Geocode: **65**

Case:

Description: **TAX 2151973 OF S1/2 SEC 2(...)**Rev acct: **0000023762**Pmt
pln:Class: **102 Irrigated Grazing Land**

Tax sale:

ACH
pln:Roll type: **Real Property**Tax Year **2015** ▼

Parcel Area		
Type	Amount	Unit of Measure
Recorded	38.1390	Acres

Type

Description

Metes and Bounds: **TAX 2151973 OF S1/2 SEC 27 T9 R21 38.139 AC**



Instrument # 2151973
JEROME COUNTY, JEROME, IDAHO
06-27-2015 03:08:22 PM No. of Pages: 2
Recorded for: TITLEONE - JEROME
MICHELLE EMERSON Fee: \$13.00
Ex-Office Recorder Deputy: tm
Electronically Recorded by Simplifile

Order Number: 15250712

Warranty Deed

For value received,

Sunrise Organic Dairy, LLC, an Idaho limited liability company

the grantor, does hereby grant, bargain, sell, and convey unto

Cody Morgan and Kathy Morgan, husband and wife as community property with right of survivorship

whose current address is 756 S 2800 E Hazelton, ID 83335

the grantee, the following described premises, in Jerome County, Idaho, to wit:

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 27: Part of the SE¼, described as follows:

Beginning at the Southeast corner of Section 27 in Township 9 South, Range 21 E.B.M., said corner marked by a U.S.R.S. iron pipe with brass cap on top which shall be THE POINT OF BEGINNING;
Thence South 89°57'43" West along the South line of Section 27 for a distance of 14.74 feet to a ½" rebar;
Thence along a non-tangent curve to the left for a distance of 1230.82 feet to a ½" rebar, said curve having a radius of 1014.98 feet, a delta angle of 69°28'48", and a long chord bearing of North 55°15'10" West for a distance of 1156.78 feet;
Thence North 89°54'06" West for a distance of 1077.43 feet to a ½" rebar;
Thence North 05°03'10" West for a distance of 215.42 feet to a ½" rebar;
Thence South 83°13'10" West for a distance of 218.21 feet to a ½" rebar;
Thence North 08°01'17" West for a distance of 188.89 feet to a ½" rebar;
Thence North 08°01'16" West for a distance of 58.27 feet to the Southerly railroad right of way;
Thence North 78°48'15" East along said right of way for a distance of 2360.41 feet to a 5/8" rebar on the East line of Section 27;
Thence South 00°05'54" West along said section line for a distance of 1553.03 feet to THE POINT OF BEGINNING.

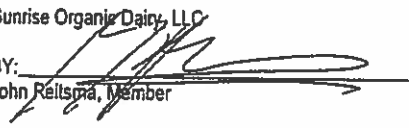
To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: May 26, 2015

Sunrise Organic Dairy, LLC

BY:

John Reitsma, Member

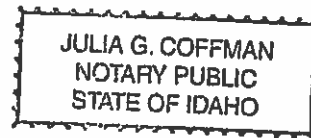


State of Idaho, County of Cassia, ss.

On this 21 day of May 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared John Reitsma, known or identified to me to be a Member of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Julia G. Coffman
Notary Public for Idaho
My Commission Expires: 6-20-2020
Residing: Rupert, IDA



WARRANTY DEED

EC-840

987347

For Value Received

CARL W. BAILEY and STEPHANIE G. BAILEY, husband and wife

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

CODY G. MORGAN and KATHY L. MORGAN, husband and wife

Address: 756 South 2800 East
Hazelton, Idaho 83335

RECORDED AT THE REQUEST
OF THE GRANTEE

Dec 3 3 06 PM '91

JEROME COUNTY, IDAHO

FEES 2.77 DEP. 1.25

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

Parcel No. 1:

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: Part of the NW 1/4 described as follows:

Beginning at the West 1/4 corner of Section 26 of Township 9 South, Range 21 East, Boise Meridian, said corner marked by a 5/8" rebar; Thence North 00°01'55" West (N 00°09'33" W rec.) Along the west line of the NW 1/4 for a distance of 644.17 feet to a 1/2" rebar which shall be the POINT OF BEGINNING;
Thence North 00°01'55" West continuing along said line for a distance of 252.41 feet to a 1/2" rebar;
Thence North 89°38'43" East for a distance of 274.43 feet to a 1/2" rebar;
Thence South 10°10'35" West (S 10°02'11" W rec.) for a distance of 300.02 feet to a 1/2" rebar;
Thence North 79°03'24" West (N 79°09'53" W rec.) for a distance of 225.43 feet to the POINT OF BEGINNING

Parcel No. 2:

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: Part of the NW 1/4 and part of the SW 1/4, described as follows:

Beginning at the West quarter corner of Section 26, Township 9 South, Range 21 East, Boise Meridian, said corner marked by a 5/8" rebar;
Thence South 00°06'09" West (South 00°02'00" East rec.) along the West line of the SW 1/4 for a distance of 54.22 feet to a 1/2" rebar which shall be The True Point of Beginning;
Thence North 78°49'59" East (North 78°41'21" West rec.) for a distance of 549.45 feet to a 1/2" rebar;
Thence North 00°01'43" West (North 00°09'33" West rec.) for a distance of 844.58 feet (844.41 feet rec.) to a 1/2" rebar;

Thence North 89°58'48" East for a distance of 25.79 feet to a 1/2" rebar;
Thence South 09°26'59" East for a distance of 1086.36 feet to a 1/2" rebar;
Thence along a non-tangent curve to the left for a distance of 692.08 feet to a 1/2" rebar, said curve having a radius of 1047.66 feet and a central angle of 37°50'57" and a long chord bearing of South 53°42'44" East for a distance of 679.56 feet;
Thence south 00°06'09" West for a distance of 56.99 feet to a 1/2" rebar on the North railroad right of way;
Thence South 78°48'18" West along said right of way for a distance of 1316.99 feet to a 1/2" rebar on the West line of the SW 1/4;
Thence North 00°06'09" East along said line for a distance of 835.50 feet to the True Point of Beginning.

EXCEPTING ALL IRRIGATION WATER RIGHTS.

SUBJECT TO:

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

Taxes for 1999 and subsequent years.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Reservations of all oil and gas from Parcel I together with the right to prospect for, mine and remove such deposits as set forth in United States Patent dated March 30, 1966, recorded April 1, 1966 in Book 182 Page 120 as Instrument No. 167624, Jerome County records.

Power Line Easement in favor of Idaho Power Company recorded October 24, 1980 as Instrument No. 253045, Jerome County records, affecting a portion of the SW 1/4 NW 1/4 of Section 26.

The effects of tax deeds recorded as Instrument Nos. 314882, 314883, 314884, 314885, 314886 and 314887, Jerome County records, which convey all oil, gas and mineral rights on the property to Jerome County.

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: November 30, 1998.

Carl W. Bailey

Carl W. Bailey

Stephanie G. Bailey

Stephanie G. Bailey

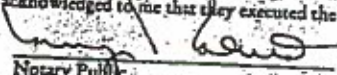
STATE OF IDAHO

COUNTY OF Cassia

)
) ss.

On this 2nd day of December, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared CARL W. BAILEY and STEPHANIE G. BAILEY, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

LARRY ROBERTS
* NOTARY PUBLIC *
STATE OF IDAHO


Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

NOTES AT BURLEY, ID
CLOCKWORK COPIES 6.36.03

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

**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





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.

**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



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)

MEMORANDUM

Date: May 2, 2016
To: Transfer 80864, Morgan - Crestview Calves File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

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.

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 10.4 acres of the 274.7 acres covered by the oldest right, 36-16411, and 5.9 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 change/addition of points of diversion is in adjacent ESPA grid cells; no 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 involved in the transfer. 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. Wells are in the same or adjacent ground water model cells.
- **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

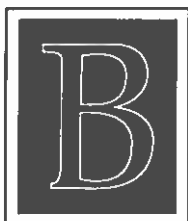
Date: May 2, 2016
To: Crestview Calves – 80864, Riverview Ranch – 80869, Crestview Farm Irrigation – 80871 Files
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

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.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

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