

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80488

RECEIVED
OCT 27 2015

Department of Water Resources
Eastern Region

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Moss Farms Inc

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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Moss Farms Inc Phone 208-554-4140
Mailing address 3286 N 3350 W, Moore, ID 83255 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 Rocky Mountain Environmental Associates Phone 208-524-2353
Mailing address 482 Constitution Way Ste 303, Idaho Falls, ID 83402 Email kristin.rmea@gmail.com

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

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

Dennis Moss Dennis Moss President 10-26-15
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**.

Applicant proposes to overlap the ground water right to supplement an existing surface water right. Ownership will not change as a result of this transfer.

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
All or Part ☐ ☒	34-2421	0.64 cfs	Irrigation	04/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.64 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.64 cubic feet per second and/or _____ 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			NW	SE	31	6N	26E	BUTTE	GROUND WATER	

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	
6N	26E	31															7	13	20
		32											12						12
Total Acres (for irrigation use)																			32

STATE OF IDAHO
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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:

The existing well diverts to mainline for wheel lines. The well can be equipped with a measuring device.

- 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:

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:

The land now irrigated will be no longer be irrigated.

- 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:

The portion of this right proposed to be transferred is supplemental to water right nos. 34-322 and 34-323.

However, it is no longer connected to these water rights by way of agreement and thus is proposed to be transferred. The new POU is irrigated by water right no. 34-182 and 34-381A, also surface water rights.

- 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:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

Part 2A

10/19/2015

WATER RIGHT NO. 34-2421

Owner Type Name and Address

Current Owner LYNN J METCALF

Current Owner VELMA L METCALF

3780 W 4050 N

MOORE, ID 83255

(208)588-3362

Priority Date: 06/06/1961

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

IRRIGATION 04/01 10/31 1.28 CFS 224 AFA

Total Diversion 1.28 CFS

Location of Point(s) of Diversion:

GROUND WATER SWNWNW Sec. 12 Township 06N Range 25E BUTTE County

IRRIGATION Use: Acre Limit: 64

Place of Use Legal Description: IRRIGATION BUTTE County

Township Range Section Lot Tract Acres Lot Tract Acres Lot Tract Acres Lot Tract Acres

06N 25E 12 NWNW 35 SWNW 35

Total Acres: 70

Conditions of Approval:

1. X27 This right is limited to the irrigation of 64 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-322, 34-323, and 34-2421 when combined shall not exceed a total diversion rate of 1.88 cfs and the irrigation of 70 acres.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
This partial decree is subject to such general provisions necessary for the definition of the rights or for
4. C18 the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 12/14/2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: 34-2421

1. amount 0.64 cfs (cfs/ac-ft) for Irrigation purposes from 04/01 to 10/31
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

The proposed water right has been partially supplemental to water right nos. 34-322 and 34-323, diverted from the Big Lost River. By agreement, the owners of the surface water rights and the ground water right proposed to be transferred have determined the proportions of the ground water right that are stacked with the surface water and must be used as supplemental only. These proportions are described in the Contract of Agreement between the Laniers and Wight dated June 24, 2015. A copy is attached as Attachment #8b.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date 10/27/15 Preliminary check by SC Date _____
 Fee paid 500- Date 10/27/15 Received by SC Receipt # 8041577
 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)

AGREEMENT TO LEASE WATER RIGHT

THIS AGREEMENT is effective as of the 26 day of October, 2015, by and between **WIGHT ENTERPRISES LLC**, of 3798 West 4050 North, Moore, Idaho 83255, hereinafter called "WIGHT," and **MOSS FARMS, INC.**, of 3286 N 3350 W, Moore, Idaho 83255, hereinafter referred to as "MOSS."

WITNESSETH:

1. Water Right To Be Leased. WIGHT does hereby lease to MOSS, and MOSS does hereby assume the lease from WIGHT a portion of that certain ground water right decreed by the Snake River Basin Adjudication Court as water right number 34-2421 (hereinafter, "Right"), and more fully described as follows:

Ground water for irrigation up to the amount of 0.64 cfs and 112 acre-feet annually from 04/01 to 10/31 for the irrigation of 32 acres.

Together with a right to make an application for transfer for use of the Right for irrigation of lands owned by MOSS. The above lease and use of the Right are hereinafter referred to as Lease Agreement.

2. Cost. There is no cost due to WIGHT to lease the Right under this Lease Agreement.
3. Term of Lease Agreement. This Lease Agreement is for a term of 1 year beginning immediately upon execution hereof and continuing until October 31, 2016, at which time, the Lease Agreement shall continue in perpetuity until written notice is given by either party at which point the lease will expire on October 31 of the given year.
4. Application for Transfer at beginning of Lease Agreement. MOSS shall be responsible for filing the Application for Transfer at the beginning of the term of the Lease Agreement to relocate the Right to MOSS's property. The water right will be split into two new rights, the transferred 32 acre portion and the remaining 32 acre portion. The transfer application must be described so as to allow the water right to be removed from the property at the termination of the Lease Agreement without affecting or diminishing the existing surface or ground water rights
5. Application for Transfer at End of Lease Agreement. Upon termination of the Lease Agreement, WIGHT shall be responsible for filing the Application for Transfer to remove the Right from MOSS's property and relocate it elsewhere.

6. Fees. It is understood and agreed that each party shall pay its own cost associated with the intended Lease Agreement and transfer applications, including all filing, legal and hydrological fees associated with the applications as may be required.
7. Representations of WIGHT. WIGHT holds the Rights without any encumbrance and has full legal authority to lease the Rights to MOSS. A Contract of Agreement dated June 24, 2015 releases the Right from recent ownership dispute between Paul and Marianne Lanier and Gary Wight, president of WIGHT. Said agreement specifies that a 32 acres portion of the Right must be stacked with an existing ground water or surface water right, which is proposed to be accomplished through this Lease Agreement and subsequent transfer. WIGHT knows of no facts which would lead to a claim by any third party or the Idaho Department of Water Resources to challenge the decree granted by the Snake River Basin Adjudication Court to the Rights.
8. Indemnification. WIGHT and MOSS agree to indemnify and save the other harmless against and from all costs, expenses, liabilities, losses, damages, injunctions, suits, actions, fines, penalties, claims, and demands of every kind or nature, including reasonable attorney's fees, by or on behalf of any person, party or governmental authority whatsoever arising out of any failure by WIGHT or MOSS to perform any of the terms of this Lease Agreement or any accident, injury or damage which shall happen in or about the Right and lands associated with the well from which the Right is or will be pumped, arising out of the respective negligence of WIGHT or MOSS.
9. Binding Affect. This Lease Agreement shall be binding on the parties and their respective heirs, legal representatives, agents, successors in interest and assigns and shall inure to the benefit of such persons.
10. Cooperation. Each party agrees to cooperate with the other in preparing and filing the necessary documents, or taking other actions, to properly achieve the purposes of this Lease Agreement.
11. Counterparts. This Lease Agreement may be executed in counterparts, each of which is deemed an original but all of which constitute one and the same instrument. The signature pages may be detached from each counterpart and combined into one instrument. This Lease Agreement may be signed and delivered by facsimile (fax or email) which shall be effective as an original.

IN WITNESS WHEREOF, the parties have executed this Lease Agreement.

WIGHT:

Gary Wight
By: Gary Wight

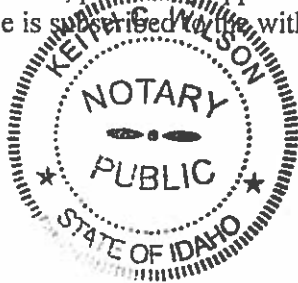
MOSS:

Dennis Moss
By: Dennis Moss

Acknowledgment

STATE OF IDAHO)
ss.
County of Bonneville)

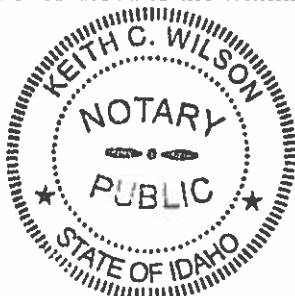
On this 26 day of October, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Gary Wight, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Keith C. Wilson
Notary Public
My Commission Expires on 6/21/2016

STATE OF IDAHO)
ss.
County of Bonneville)

On this 26 day of October, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis Moss, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Keith C. Wilson
Notary Public
My Commission Expires on 6/21/2016

ESPA Modeling Analysis

Using the ESPA Transfer Spreadsheet Version 3.1, it has been determined that the changes proposed in this transfer **do not** exceed the allowable limit of 2 af/trimester or 10% change ratio, as described in the most recent IDWR Transfer Memo. Below are excerpts from the model run to illustrate the data entry and the results.

Data Entry:

ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

YEAR: 1961

SEASON: SPRING

TRANSFER NO:

TRANSFER NAME: Modelo

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

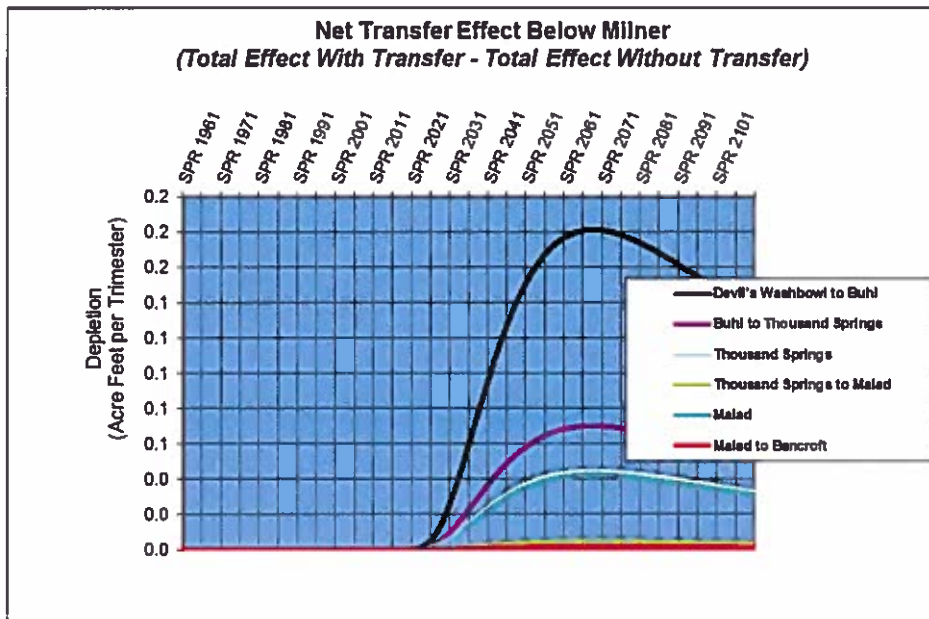
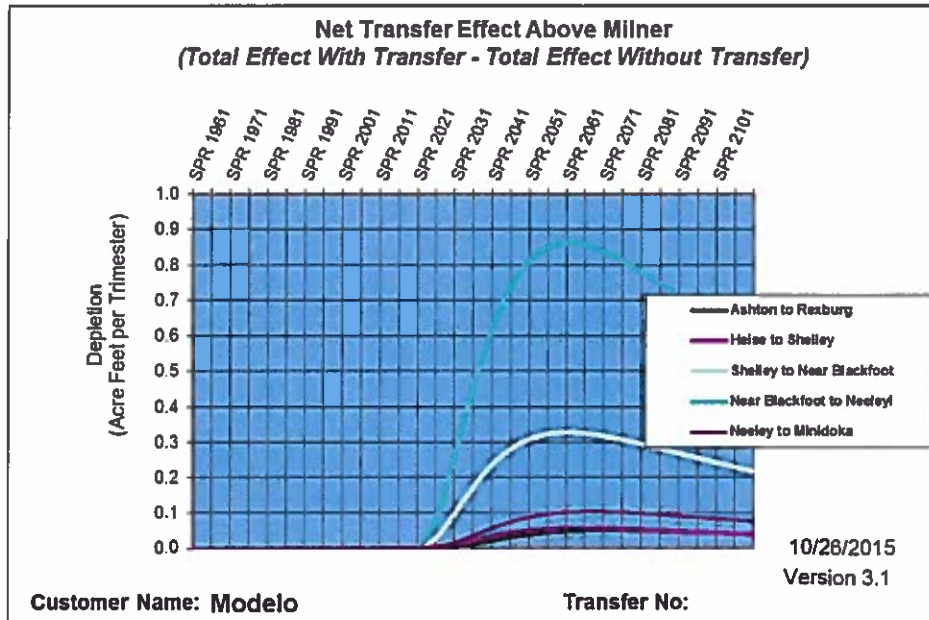
	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	20	15	0	0
COLUMN	112	113	0	0

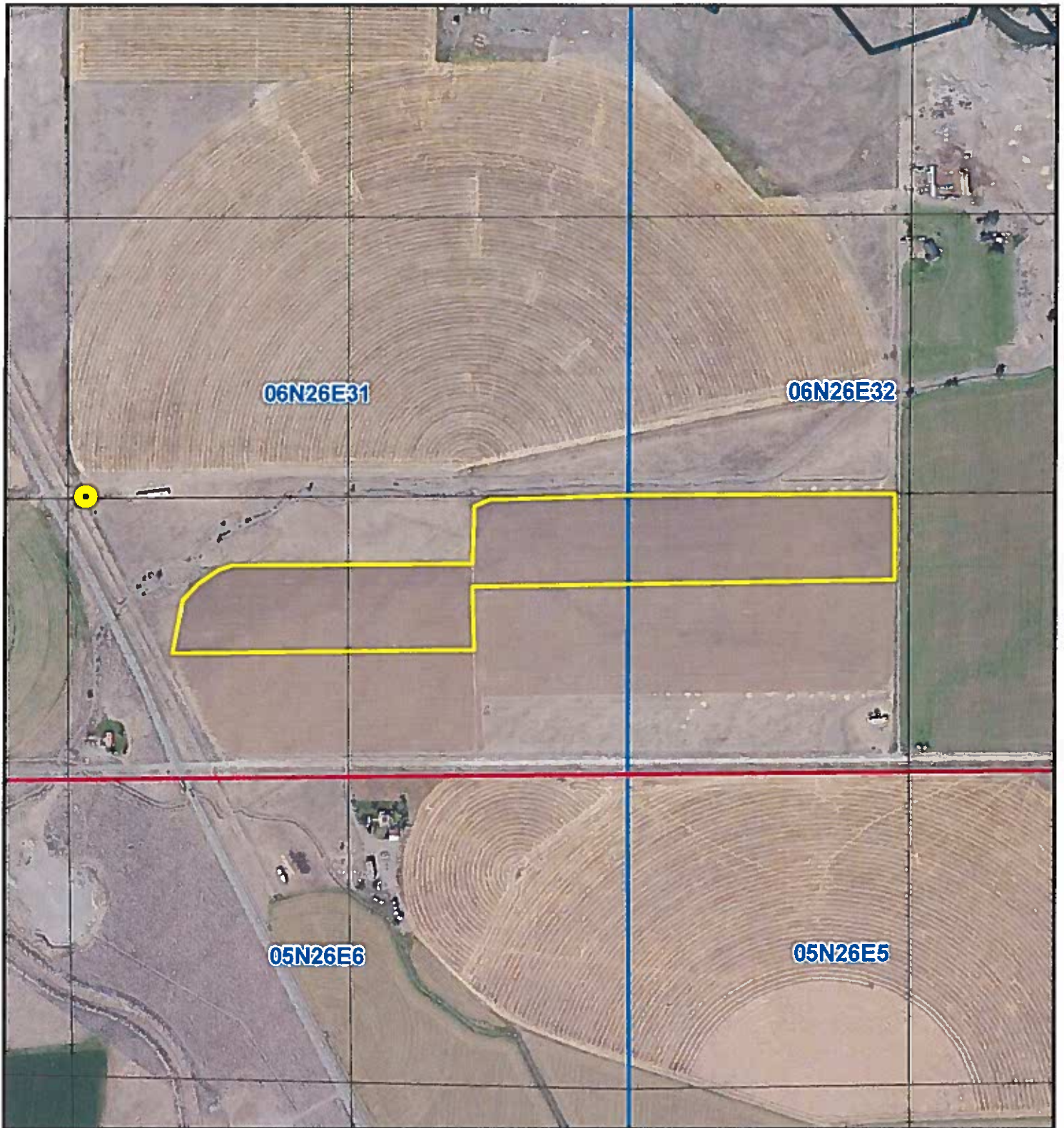
TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1961	0	37	37	0	0	0	0
SUM 1961	0	37	37	0	0	0	0
WIN 1961	0	37	37	0	0	0	0
SPR 1962	0	37	37	0	0	0	0
SUM 1962	0	37	37	0	0	0	0
WIN 1962	0	37	37	0	0	0	0
SPR 2014	0	37	37	0	0	0	0
SUM 2014	0	37	37	0	0	0	0
WIN 2014	0	37	37	0	0	0	0
SPR 2015	0	37	37	0	0	0	0
SUM 2015	0	37	37	0	0	0	0
WIN 2015	0	37	37	0	0	0	0
SPR 2016	37	0	37	0	0	0	0
SUM 2016	37	0	37	0	0	0	0
WIN 2016	37	0	37	0	0	0	0
SPR 2108	37	0	37	0	0	0	0
SUM 2108	37	0	37	0	0	0	0
WIN 2108	37	0	37	0	0	0	0
SPR 2109	37	0	37	0	0	0	0
SUM 2109	37	0	37	0	0	0	0
WIN 2109	37	0	37	0	0	0	0
SPR 2110	37	0	37	0	0	0	0
SUM 2110	37	0	37	0	0	0	0
WIN 2110	37	0	37	0	0	0	0

Net Effects: Less than 2 AF/trimester

Steady State Change:	0.04	0.04	0.22	0.58	0.08	0.13	0.05	0.03	0.00	0.03	0.00
Transient State Change:	0.04	0.04	0.22	0.58	0.08	0.13	0.05	0.03	0.00	0.03	0.00

Graphs:





-  Existing Well
-  New POU
-  Twp & Rng
-  Section
-  QQ



0 250 500 1,000 Feet



Application for Transfer

Moss Farms Inc

by: KM
October 26, 2015





● WR POD 34-2421

WR POU 34-2421

Remaining Acres

Transfer Acres

Twp & Rng

Section

QQ

2013 NAIP Photography

N



0 200 400 800 Feet



80488

Application for Transfer

Moss Farms Inc

by: KM
October 26, 2015



CONTRACT OF AGREEMENT

To Whom It May Concern,

Paul Lanier and Marianne Lanier have entered into an agreement with Gary Wight concerning water rights 34-322, 34-323 and 34-2421. Water rights 34-322 and 34-323 are surface water rights from the Big Lost River and are currently owned by Paul Lanier and Marianne Lanier. The Idaho Department of Water Resources currently lists the owner of ground water right 34-2421 as Lynn Metcalf and Velma Metcalf. Water right 34-2421 has been purchased by Gary Wight and the ownership change will soon be reflected on the Idaho Department of Water Resources database.

34-322	Priority date: 7/21/1886	0.8 cfs		40.0 acres
34-323	Priority date: 6/1/1889	0.8 cfs		70.0 acres
	Total	1.6 cfs		70.0 acres
34-2421	Priority date: 6/06/1961	1.28 cfs	224 afa	64.0 acres

It is agreed that Paul and Marianne Lanier will transfer the entire 70.0 acres of 34-322 and 34-323 off of the current authorized place of use. A 6.0 acre portion of 34-322 and 34-323 will not be required to be stacked with any other water rights. A 32.0 acre portion of 34-322 and 34-323 will not be required to be stacked with any other water rights. A 32.0 acre portion of 34-322 and 34-323 must be stacked with an existing ground water or surface water right (other than Big Lost River Irrigation District rights).

It is agreed that Gary Wight will not be required to stack a 32.0 acre portion of 34-2421 with any other water right. A 32.0 acres portion of 34-2421 must be stacked with an existing ground water or surface water right (other than Big Lost River Irrigation District rights).

By performing the above actions, the parties involved will ensure that no enlargement of the original 70.0 acres under water rights 34-222, 34-323 and 34-1421 will occur.

Upon the execution of this agreement, and the completion of the obligations created by this agreement, the parties hereto hereby fully release and discharge each other, their assigns, successors in interest, representatives, insurers, agents, employees, attorneys and predecessors in interest, of any and all claims, actions, causes of action and liability

of any and all kinds each to the other arising from or in any way relating to or connecting with the water rights listed above.

Paul Lanier

Paul M. Lanier

Date: 6/29/15

Marianne Lanier

Marianne Lanier

Date: 6/24/15

Gary Wight

Gary Wight

Date: 6-24-15

No. C 181399	Due no later than Jan 31, 2016 Annual Report Form		2. Registered Agent and Address (NO PO BOX)														
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. MOSS FARMS, INC PO BOX 1811 IDAHO FALLS ID 83403		DENNIS MOSS 3286 N 3350 W MOORE ID 83255														
			3. <u>New</u> Registered Agent Signature:*														
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional). <table border="1"> <thead> <tr> <th>Office Held</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>PRESIDENT</td> <td>DENNIS MOSS</td> <td>3286 N 3350 W</td> <td>MOORE</td> <td>ID</td> <td>USA</td> <td>83255</td> </tr> </tbody> </table>				Office Held	Name	Street or PO Address	City	State	Country	Postal Code	PRESIDENT	DENNIS MOSS	3286 N 3350 W	MOORE	ID	USA	83255
Office Held	Name	Street or PO Address	City	State	Country	Postal Code											
PRESIDENT	DENNIS MOSS	3286 N 3350 W	MOORE	ID	USA	83255											
5. Organized Under the Laws of: ID C 181399	6. Annual Report must be signed.* Signature: Robert Crandall Name (type or print): Robert Crandall Date: 11/16/2015 Title: AGENT																
Processed 11/16/2015	* Electronically provided signatures are accepted as original signatures.																