

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80316

RECEIVED

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

AUG 06 2015DEPT OF WATER RESOURCES
SOUTHERN REGION

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) OAK VALLEY LAND CO LLC

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

- | Yes | N/A | |
|-------------------------------------|--------------------------|--|
| ☒ | ☐ | * Means the item is <u>always required</u> 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 <u>for each water right</u> for which <u>only a portion</u> 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 #1-9.

- | | | |
|-------------------------------------|-------------------------------------|--|
| ☒ | ☐ | #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 transfer 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). |
| ☐ | ☒ | #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 http://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. |
| ☐ | ☒ | #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.) |
| ☐ | ☒ | #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 Other. Please describe: _____ |

AUG 06 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant OAK VALLEY LAND CO LLC Phone (208)280-6453
Mailing Address 468 S 800 W, BURLEY ID 83318 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 _____ Phone _____
Mailing Address _____ Email _____

☐ 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**.

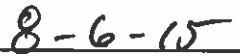
I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made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

I.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-13941	No	No	No	Yes	No	No	No
45-13943	No	No	No	Yes	No	No	No
45-13945	No	No	No	Yes	No	No	No

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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 seeks to correct the place of use.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-13941	1.010 cfs	236.1 af	N/A	N/A		N/A	N/A	N/A	N/A
45-13943	0.920 cfs	222.5 af	N/A	N/A		N/A	N/A	N/A	N/A
45-13945	1.240 cfs	156.2 af	N/A	N/A		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

	1.970 cfs	395.6 af	N/A	N/A		N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 1.97 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)

☒ As shown in Part 1.

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

☐ No changes to place of use are proposed. (Proceed to #5.)

☒ As shown in Part 1.

☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 45-13941

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318

Priority Date: 5/21/1962

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	1.010 CFS	236.1 AFA	
STOCKWATER	01/01	12/31	1.010 CFS	236.1 AFA	
Total Diversion			1.010 CFS	236.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E	CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 45-13943

Current Water Right Owner

OAK VALLEY LAND CO
 LLC
 468 S 800 W
 BURLEY, ID 83318

Priority Date: 9/11/1967

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.920 CFS	222.5 AFA	
STOCKWATER	01/01	12/31	0.920 CFS	222.5 AFA	
Total Diversion			0.920 CFS	222.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 45-13945

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318

Priority Date: 11/24/1981

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	1.240 CFS	156.2 AFA	
STOCKWATER	01/01	12/31	1.240 CFS	156.2 AFA	
Total Diversion			1.240 CFS	156.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E	CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24		X	X		X	X	X	X									

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

Existing System

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

Oak Valley Land

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?

No, ☐ 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: Mortgage

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

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

N/A

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

N/A

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

Yes

☐

No

☒☐☐☐☒☒☒☒

undergone a period of five or more consecutive years of non-use,

currently leased to the Water Supply Bank,

currently used in a mitigation plan limiting the use of water under the right, or

currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

Current Water Right No. 45-13941

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318

Priority Date: 5/21/1962

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	1.010 CFS	236.1 AFA	
STOCKWATER	01/01	12/31	1.010 CFS	236.1 AFA	
Total Diversion			1.010 CFS	236.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E CASSIA County
GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24					X	X											0.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24					X	X											0.0

Conditions/Remarks:

1. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
2. 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.
3. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs, a total annual maximum diversion volume of 395.6 af.
4. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. This right does not grant any right-of-way or easement across the land of another.
6. Prior to the diversion and use of water under Transfer approval 72004, 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.

Conditions/Remarks:

7. Commercial use is for a dairy.
8. Rights 45-13941 and 45-13943 when combined shall not exceed a total diversion rate of 1.93 cfs, a total annual maximum diversion volume of 248.9 af at the field headgate.
9. 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.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

Current Water Right No. 45-13943

Current Water Right Owner
OAK VALLEY LAND CO
LLC
468 S 800 W
BURLEY, ID 83318

Priority Date: 9/11/1967

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.920 CFS	222.5 AFA	
STOCKWATER	01/01	12/31	0.920 CFS	222.5 AFA	
Total Diversion			0.920 CFS	222.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E CASSIA County
GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E CASSIA County

Place of Use: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24					X	X											0.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24					X	X											0.0

Conditions/Remarks:

- Commercial use is for a dairy.
- Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- This right does not grant any right-of-way or easement across the land of another.
- Rights 45-13941 and 45-13943 when combined shall not exceed a total diversion rate of 1.93 cfs, a total annual maximum diversion volume of 248.9 af at the field headgate.
- The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
- Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs, a total annual maximum diversion volume of 395.6 af.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. 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.
9. 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.
10. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Prior to the diversion and use of water under Transfer approval 72004, 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.

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

Current Water Right No. 45-13945

Current Water Right Owner OAK VALLEY LAND CO
 LLC
 468 S 800 W
 BURLEY, ID 83318

Priority Date: 11/24/1981

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	1.240 CFS	156.2 AFA	
STOCKWATER	01/01	12/31	1.240 CFS	156.2 AFA	
Total Diversion			1.240 CFS	156.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 13 Twp 11S Rge 21E CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S Rge 21E CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S Rge 21E CASSIA County
GROUND WATER	L3(SWNWSW)	Sec. 19 Twp 11S Rge 22E CASSIA County

Place of Use: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24					X	X											0.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	21E	24					X	X											0.0

Conditions/Remarks:

1. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs, a total annual maximum diversion volume of 395.6 af.
6. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

7. 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.
8. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
9. This right does not grant any right-of-way or easement across the land of another.
10. Prior to the diversion and use of water under Transfer approval 72004, 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.
11. Commercial use is for a dairy.

☐ 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 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**.

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

1. 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.:

[illegible]

Received By freder Date 7/30/15 Prelim. Check By _____ Date _____
 Fee Paid \$1160.00 Date 8/6/15 Received By Dm Receipt # 5034949
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

No. W 39598	Due no later than May 31, 2015 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. OAK VALLEY LAND COMPANY, L.L.C. MIKE AARDEMA 468 SOUTH 800 WEST BURLEY ID 83318		MIKE AARDEMA 4109 HIDDEN LAKES DR KIMBERLY 83341			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held MEMBER	Name MIKE AARDEMA	Street or PO Address 4109 HIDDEN LAKES DR	City KIMBERLY	State ID	Country USA	Postal Code 83341
5. Organized Under the Laws of: ID W 39598		6. Annual Report must be signed.* Signature: LAURA J EDWARDS Name (type or print): LAURA J EDWARDS Date: 03/23/2015 Title: CFO				
Processed 03/23/2015		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 80316

305279

1754(2)

TT#53343 / LTR#40754

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 466
Twin Falls, Idaho 83303

****SPACE ABOVE FOR RECORDER****

WARRANTY DEED

FOR VALUE RECEIVED MICHAEL D. AARDEMA, a married man dealing with his sole and separate property, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto OAK VALLEY LAND COMPANY, L.L.C., an Idaho Limited Liability Company, hereinafter called grantee, whose address is: 1989 Tamarack Loop, Twin Falls, Idaho 83301, the following described premises, in Cassia County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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

Dated: November 8, 2005

Michael D. Ardema
MICHAEL D. AARDEMA

STATE OF IDAHO
County of Twin Falls

On this 10TH day of November, 2005, before me, a Notary Public in and for said State, personally appeared MICHAEL D. AARDEMA, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.

Kathy C. Easterday
Notary Public for Idaho
Residing at ELER
Commission expires: 1-29-07

+++++
KATHY C. EASTERDAY
NOTARY PUBLIC
STATE OF IDAHO
+++++

305279
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 12.00 DUTY 46
2005 NOV 18 PM 2:53
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

EXHIBIT "A"

PARCEL NO. 1:

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 13: ALL

EXCEPT the NE $\frac{1}{4}$ NE $\frac{1}{4}$

ALSO EXCEPT part of the SW $\frac{1}{4}$ NW and part of NW $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly described as follows:

BEGINNING at the West quarter corner of said Section 13;

THENCE North 0°16'00" West for 190 feet to a point;

THENCE East for 545 feet to a point;

THENCE South 62°00' East for 503 feet to a point;

THENCE South 61°30' West for 639.6 feet to a point;

THENCE West for 427 feet, more or less, to a point on the West section line of said Section 13;

THENCE North 0°16'00" West for 355 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM the following described tract:

BEGINNING at the Northwest corner of said Section 13, said corner marked by a $\frac{1}{4}$ -inch rebar which shall be the POINT OF BEGINNING;

THENCE South 89°58'45" East along the North line of Section 13 for a distance of 1531.21 feet;

THENCE South 89°05'08" West for a distance of 1531.33 feet to the West line of Section 13;

THENCE North 00°10'19" West along the West line of Section 13 for a distance of 25.00 feet to the POINT OF BEGINNING.

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 14: ALL

EXCEPTING THEREFROM the following described tract:

BEGINNING at the Northeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 14;

THENCE South 0°16'00" East along section line for 692.66 feet to a point which shall be the TRUE POINT OF BEGINNING;

THENCE South 0°16'00" East along section line for 357.34 feet to a point;

THENCE Westerly parallel with the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ for 400.00 feet to a point;

THENCE North 0°16'00" West for 357.34 feet to a point;

THENCE Easterly parallel with the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ for 400.00 feet to the TRUE POINT OF BEGINNING.

Section 15: E $\frac{1}{4}$

Section 23: E $\frac{1}{4}$

Section 24: W $\frac{1}{4}$; W $\frac{1}{2}$ E $\frac{1}{2}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 24: Part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows:

BEGINNING at the Southwest corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$

THENCE running East along the South boundary of said E $\frac{1}{2}$ SE $\frac{1}{4}$, 660 feet;

THENCE running Northwesterly to the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;

THENCE running South along the West boundary of said E $\frac{1}{2}$ SE $\frac{1}{4}$ to the Southwest corner of said E $\frac{1}{2}$ SE $\frac{1}{4}$ to the POINT OF BEGINNING.

PARCEL NO. 1A:

An easement for a buried PVC irrigation pipeline for the benefit of Section 24, Township 11 South, Range 21 East of the Boise Meridian as created by Agreement and Grant of Easement for an Irrigation Pipeline by and between Glen E. Larson and Carol Larson, husband and wife, Grantor, and Glen R. Kunau and Dona Kunau, husband and wife, water user, dated March 27, 1996, and recorded April 12, 1996, as Instrument No. 242187, on Film No. 275, records of Cassia County, Idaho, across the following described Parcel:

Township 11 South, Range 22 East of the Boise Meridian, Cassia County, Idaho

Section 18: Part of the SW $\frac{1}{4}$, described as follows:

BEGINNING at a point on section line 1532.64 feet North 0°14' West from the Southwest corner of said

Section 18, which shall be the TRUE POINT OF BEGINNING;

THENCE North 0°14' West along section line for 1121.88 feet to a point;

THENCE North 89°46' East for 2704.02 feet to a point;

THENCE South 45°18' West for 1603.37 feet to a point;

THENCE South 89°45' West for 1560.91 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

Township 11 South, Range 22 East of the Boise Meridian, Cassia County, Idaho
Section 18: A parcel beginning at a point on section line 1560.91 feet North 89°45' East from the Southwest corner of said Section 18, which shall be the TRUE POINT OF BEGINNING;
THENCE North 0°14' West for 1532.64 feet to a point;
THENCE North 45°18' East for 1603.37 feet to a point;
THENCE South 0°10' East for 2655.5 feet to a point on section line;
THENCE South 89°45' West along section line for 1141.13 feet to the TRUE POINT OF BEGINNING.

LESS the following described tract:

Part of the SE¼SW¼ described as follows:

BEGINNING at the Southwest corner of said Section 18;
THENCE North 89°45' East for 1560.91 to the TRUE POINT OF BEGINNING;
THENCE North 0°14' West for 1532.64 feet to a point;
THENCE North 45°13' East for 616.2 feet to a point;
THENCE South 0°10' East for 1953 feet, more or less, to a point on the South section line of said Section 18;
THENCE South 89°45' West for 450 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 3:

Township 11 South, Range 22 East of the Boise Meridian, Cassia County, Idaho
Section 17: S½ ✓
Section 20: E½, NW¼
Section 18: SE¼

PARCEL NO. 4:

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho
Section 23: W½
Section 22: E½, EXCEPTING THEREFROM, the following described tract:
COMMENCING at the Northwest corner of said E½;
THENCE East 100 feet along the North boundary line to a point;
THENCE Southwesterly 141.2 feet, more or less, to a point which is 100 feet South from the Northwest corner;
THENCE North along the West boundary line 100 feet to the POINT OF BEGINNING.

PARCEL NO. 5:

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho
Section 22: W½ and a parcel in the Northwest corner of the E½ of said Section 22, described as follows:
COMMENCING at the Northwest corner of said E½;
THENCE East 100 feet along the North boundary line to a point;
THENCE Southwesterly 141.2 feet, more or less, to a point which is 100 feet South from the Northwest corner;
THENCE North along the West boundary line 100 feet to the POINT OF BEGINNING.

PARCEL NO. 6:

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho
Section 13: Part of the SW¼NW¼ and part of NW¼SW¼, more particularly described as follows:
BEGINNING at the West quarter corner of said Section 13;
THENCE North 0°16'00" West for 190 feet to a point;
THENCE East for 545 feet to a point;
THENCE South 62°00' East for 503 feet to a point;
THENCE South 61°30' West for 639.6 feet to a point;
THENCE West for 427 feet, more or less, to a point on the West section line of said Section 13;
THENCE North 0°16'00" West for 355 feet to the POINT OF BEGINNING.

PARCEL NO. 7:

Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho

Section 14: Part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly as follows:

BEGINNING at the Northeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 14;

THENCE South 0°16'00" East along section line for 692.66 feet to a point which shall be the TRUE POINT OF BEGINNING;

THENCE South 0°16'00" East along section line for 357.34 feet to a point;

THENCE Westerly parallel with the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ for 400.00 feet to a point;

THENCE North 0°16'00" West for 357.34 feet to a point;

THENCE Easterly parallel with the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ for 400.00 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 8:

Township 11 South, Range 22 East of the Boise Meridian, Cassia County, Idaho

Section 18: Part of the SW $\frac{1}{4}$ more particularly described as follows:

BEGINNING at the Southwest corner of said Section 18 which shall be the TRUE POINT OF BEGINNING;

THENCE North 0°14' West along section line for 1532.64 feet to a point;

THENCE North 89°54' East for 1560.91 feet to a point;

THENCE South 0°14' East for 1532.64 feet to a point on section line;

THENCE South 89°45' West along section line for 1560.91 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 9:

Township 11 South, Range 22 East of the Boise Meridian, Cassia County, Idaho

Section 19: Part of the N $\frac{1}{4}$ more particularly described as follows:

BEGINNING at the North quarter section corner of said Section 19, said corner marked by a $\frac{1}{2}$ -inch rebar;

THENCE South 89°45'45" West along the North line of Section 19 for a distance of 235.52 feet to a $\frac{1}{2}$ inch rebar which shall be the POINT OF BEGINNING;

THENCE South 57°18'10" West for a distance of 246.13 feet to a $\frac{1}{2}$ inch rebar;

THENCE South 03°09'35" West for a distance of 62.62 feet to a $\frac{1}{2}$ inch rebar;

THENCE South 63°05'13" West for a distance of 75.18 feet to a $\frac{1}{2}$ inch rebar;

THENCE North 75°54'21" West for a distance of 500.89 feet to a $\frac{1}{2}$ inch rebar;

THENCE North 00°35'32" West for a distance of 104.37 feet to a $\frac{1}{2}$ inch rebar on the North line of Section 19;

THENCE North 89°45'45" East along the North line of Section 19 for a distance of 764.51 feet to the POINT OF BEGINNING.

PARCEL NO. 10:

Township 11 South, Range 22 East of the Boise Meridian, Cassia County, Idaho

Section 18: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly described as follows:

BEGINNING at the Southwest corner of said Section 18;

THENCE North 89°45' East for 1560.91 feet to the TRUE POINT OF BEGINNING;

THENCE North 0°14' West for 1532.64 feet to a point;

THENCE North 45°13' East for 616.2 feet to a point;

THENCE South 0°10' East for 1953 feet, more or less, to a point on the South Section line of said Section 18;

THENCE South 89°45' West for 450 feet, more or less, to the TRUE POINT OF BEGINNING.

Data and Deed Call Listing of File:

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009=/SE,SE,SE,13,11S,21E	069=@0 w,e,24,11s,21e	129=/SE,SE,SE,18,11S,22E
010=/N00E 2640.00	070=/SE,SE,SE,24,11S,21E	130=/N00E 2640.00
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012=S00W 2640.00	072=/N90W 1320.00	132=S00W 2640.00
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Data and Deed Call Listing of File:

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181=s89.45w 450

Agricultural Investments
10801 Mastin Blvd., Suite 120
Overland Park, KS 66210

RECEIVED

AUG 28 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

MetLife

Idaho Department of Water Resources
Southern Regional Office
650 Addison Ave W. Suite 500
Twin Falls, ID 83301-5858

Jake Espenmiller
Regional Director
Central Regional Office

(913) 661-2233
(913) 661-2267 FAX
(515) 210-8696 CELL
jespenmiller@metlife.com
www.metlife.com/ag

Re Metropolitan Life Insurance Company ("MetLife") Loan 197438, 197439 and 197834 – Oak Valley Dairy, LLC and Oak Valley Land Company, LLC (the "Borrowers") Cassia County, Idaho

Application for Transfer of Water Right No. 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-14167, 45-14169, 45-14306, 45-14308, 45-14310, 45-14307, 45-14309, 45-14311, 45-13941, 45-13943, and 45-13945

Dear Sir or Madam:

MetLife holds a security interest in water right numbers 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-14167, 45-14169, 45-14306, 45-14308, 45-14310, 45-14307, 45-14309, 45-14311, 45-13941, 45-13943, and 45-13945 (the "Water Rights") and has been asked to consent to permit the changing of the point of use and the addition of a point of diversion, as described in the Application for Transfer of Water Rights.

This letter serves as written acknowledgment and consent to the Application for Transfer of Water Rights as fully described in the unsigned State of Idaho Department of Water Resources Application for Transfer of Water Rights Transfer ("Applications") (as attached).

Consent is subject to receipt and acceptance by MetLife legal counsel of the signed Applications

ORIGINAL

TRANSFER 80316

**METROPOLITAN LIFE INSURANCE
COMPANY**

By: John C. Espenmiller
Name: John C. Espenmiller
Its: Director

August 24th, 2015

Encl.
JCE/kpk

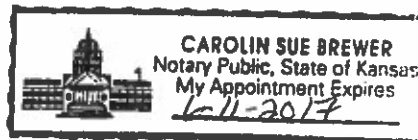
STATE OF Kansas)
) ss.
COUNTY OF Johnson

Before me, a Notary Public in and for said County and State, personally appeared John C. Espenmiller, the Director of Metropolitan Life Insurance Company, and acknowledged the execution of the foregoing instrument on behalf of said holders, and who, has been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 24th day of August, 2015.

Carolyn Sue Brewer
(Notary Public)

My Commission Expires: 6-11-2017



Copies to: Clear Creek Land and Management

Agricultural Investments
10801 Mastin Blvd., Suite 120
Overland Park, KS 66210

E-mail:
RECEIVED

AUG 24 2015

MetLife

Idaho Department of Water Resources
Southern Regional Office
650 Addison Ave W. Suite 500
Twin Falls, ID 83301-5858

Jake Espenmiller
Regional Director
Central Regional Office

(913) 661-2233
(913) 661-2267 FAX
(515) 210-8696 CELL
jespenmiller@metlife.com
www.metlife.com/ag

Re Metropolitan Life Insurance Company ("MetLife") Loan 197438, 197439 and 197834 – Oak Valley Dairy, LLC and Oak Valley Land Company, LLC (the "Borrowers") Cassia County, Idaho

Application for Transfer of Water Right No. 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-14167, 45-14169, 45-14306, 45-14308, 45-14310, 45-14307, 45-14309, 45-14311, 45-13941, 45-13943, and 45-13945

Dear Sir or Madam:

MetLife holds a security interest in water right numbers 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-14167, 45-14169, 45-14306, 45-14308, 45-14310, 45-14307, 45-14309, 45-14311, 45-13941, 45-13943, and 45-13945 (the "Water Rights") and has been asked to consent to permit the changing of the point of use and the addition of a point of diversion, as described in the Application for Transfer of Water Rights.

This letter serves as written acknowledgment and consent to the Application for Transfer of Water Rights as fully described in the unsigned State of Idaho Department of Water Resources Application for Transfer of Water Rights Transfer ("Applications") (as attached).

Consent is subject to receipt and acceptance by MetLife legal counsel of the signed Applications

TRANSFER 80316

**METROPOLITAN LIFE INSURANCE
COMPANY**

By: John C. Espenmiller
Name: John C. Espenmiller
Its: Director

August 24th, 2015

Encl.
JCE/kpk

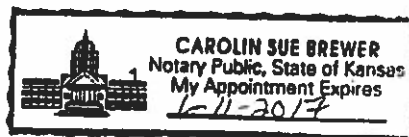
STATE OF Kansas)
) ss.
COUNTY OF Johnson

Before me, a Notary Public in and for said County and State, personally appeared John C. Espenmiller, the Director of Metropolitan Life Insurance Company, and acknowledged the execution of the foregoing instrument on behalf of said holders, and who, has been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 24th day of August, 2015.

Carolyn Sue Brewer
(Notary Public)

My Commission Expires: 6-11-2017



Copies to: Clear Creek Land and Management

Maline, Denise

From: Maline, Denise
Sent: Friday, August 28, 2015 1:34 PM
To: 'Brian Higgs'
Subject: Comment letters for 80291, 80315, 80316 - Oak Valley Land Co
Attachments: Comment Letter to WM140 for 80291, 80315, 80316.docx; Transfer 80291.pdf; Transfer 80315.pdf; Transfer 80316.pdf

Brian,

Attached is a cover letter, recommendation forms and copies of applications for transfer 80291, 80315 & 80316 all in the name of Oak Valley Land Co.

Please review the information and provide any necessary comments within 21 days. Please feel free to contact our office if you have any questions regarding this information.

Thank you in advance,

Denise @ IDWR



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

August 28, 2015

BRIAN HIGGS
WATER DISTRICT #140
355 W 500 S
BURLEY, ID 83318

Via e-mail

RE: Transfer No. 80315
Water Right No(s). 45-14307, 45-14309, 45-14311

RE: Transfer No. 80291
Water Right No(s): 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934,
45-13936, 45-13938, 45-14167, 45-14169, 45-14306, 45-14308,
45-14310

RE: Transfer No. 80316
Water Right No(s): 45-13941, 45-13943, 45-13945

Dear Mr. Higgs:

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)



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 27, 2015

OAK VALLEY LAND CO LLC
468 S 800 W
BURLEY, ID 83318

RE: Transfer No. 80315
Water Right No(s). 45-14307, 45-14309, 45-14311

RE: Transfer No. 80291
Water Right No(s): 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936,
45-13938, 45-14167, 45-14169, 45-14306, 45-14308, 45-14310

RE: Transfer No. 80316
Water Right No(s): 45-13941, 45-13943, 45-13945

Dear Applicant(s):

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

A legal notice of application number 80315 has been prepared and is scheduled for publication in the **TIMES NEWS on 9/3/2015 and 9/10/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**September 21, 2015**).

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.

The department is also processing application numbers 80291 and 80316 listed above; however these applications do not require legal advertisement. If these applications are approved, the Department will send you a copy of the approval documents.

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

Sincerely,

Denise Maline
Administrative Assistant



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 27, 2015

METROPOLITAN LIFE INSURANCE CO
10801 MASTIN BLVD STE 930
OVERLAND PARK, KS 66210

Re: Transfer No. 80315
Water Right No(s). 45-14307, 45-14309, 45-14311

Re: Transfer No. 80291
Water Right No(s): 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934,
45-13936, 45-13938, 45-14167, 45-14169, 45-14306, 45-14308,
45-14310

Re: Transfer No. 80316
Water Right No(s): 45-13941, 45-13943, 45-13945

Dear Security Interest Holder:

The above referenced transfer applications are currently being processed by the Department. The application files can be viewed via our website at www.idwr.idaho.gov, under the *Water Right Search* tab.

Please review all of the applications, and submit any necessary comments or concerns to this office within 21 days. If the department has not received any response from you within 21 days; we will presume that you do not oppose approval of the application and that you have no comments or concerns for the department to consider.

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

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Reeder, Jana

From: Leslie Iversen [liversen@clearcreekag.com]
Sent: Monday, August 24, 2015 4:14 PM
To: Reeder, Jana
Cc: Laura J Edwards; Mike Aardema
Subject: MetLife Consent to Oak Valley transfer
Attachments: Consent to Water Right Transfer.pdf

Jana,

Attached is a copy of the MetLife Consent letter for the Oak Valley water transfer requests. This letter is being mailed today.

w/ application

Let me know if you need anything more from our end.

Thank you

Leslie Iversen
Clear Creek Land Mortgage
PO Box 1598
Twin Falls, ID 83308
208-734-6622 Phone
208-734-07 Fax
liversen@clearcreekag.com

MEMORANDUM

Date: August 21, 2015

To: Transfer 80316

From: Jana Reeder

Re: Fee memo

The fee of \$580.00 is based on the flow rate of 1.97 cfs.

Reeder, Jana

From: Reeder, Jana
Sent: Wednesday, August 19, 2015 2:22 PM
To: 'Leslie Iversen'
Subject: RE: Oak Valley Land Company LLC Water Right Transfers
Attachments: 80291a.pdf; 80315.pdf; 80316.pdf

Leslie,

Here are the scanned copies of Mike's Transfers.. let me know if you need anything else.

Jana

From: Leslie Iversen [<mailto:liversen@clearcreekag.com>]
Sent: Wednesday, August 19, 2015 2:02 PM
To: Reeder, Jana
Subject: Oak Valley Land Company LLC Water Right Transfers

Jana,

I was able to locate the transfers on the IDWR website. Unfortunately they do not give me the data that MetLife requires. MetLife will need copies of the actual requests that were submitted and signed by Mr. Aardema. Can you possibly send those to me via email for Transfer #80315, 80316 and 80291? I have the scope of the why's but will need these transfer papers to submit and get an approval from MetLife.

Thanks so much!

Leslie Iversen

Clear Creek Land & Mortgage
409 Shoshone Street S, Suite 25
PO Box 1598 (mailing)
Twin Falls, Idaho 83303
208.734.6622 phone
208.734.0745 fax
liversen@clearcreekag.com

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