

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80092

JUN 04 2015

DEPT OF WATER RESOURCES
SOUTHERN 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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) FED AGRIBUSINESS LLC; TUGAW RANCHES 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 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 #1-9.

- ☐ ☒ #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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 04 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant FED AGRIBUSINESS LLC Phone (208)862-3482
Mailing Address 568 W 1650 S, OAKLEY ID 83346 Email _____
Name of Applicant TUGAW RANCHES LLC Phone _____
Mailing Address 568 W 1650 S, OAKLEY ID 83346 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]
Signature of Applicant or Authorized Representative

DAVID J. PICCEIT
Print Name and Title if applicable

3 JUNE 15
Date

[Signature]
Signature of Applicant or Authorized Representative

DAVID J. PICCEIT
Print Name and Title if applicable

3 JUNE 15
Date

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

1. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	45-2057	No	No	Yes	No	No	No
	45-2283	No	No	Yes	No	No	No
	45-2321	No	No	Yes	No	No	No
	45-2322	No	No	Yes	No	No	No
	45-2338	No	No	Yes	No	No	No
	45-2374	No	No	Yes	No	No	No
	45-2380	No	No	Yes	No	No	No
	45-2381	No	No	Yes	No	No	No
	45-2384	No	No	Yes	No	No	No
	45-2575	No	No	Yes	No	No	No
	45-2589	No	No	Yes	No	No	No
	45-2596	No	No	Yes	No	No	No
	45-2626	No	No	Yes	No	No	No
	45-2715	No	Yes	Yes	No	No	No
	45-4212	No	No	Yes	No	No	No
	45-4239	No	No	Yes	No	No	No
	45-7156	No	Yes	Yes	No	No	No
	45-7201	No	No	Yes	No	No	No
	45-7456	No	Yes	Yes	No	No	No
	45-10158	No	No	Yes	No	No	No
	45-10164	No	No	Yes	No	No	No
	45-12757	No	No	Yes	No	No	No

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**

Application proposes to change the authorized points of diversion for water rights 45-2715, 45-7156, and 45-7456 to three existing wells located in Sections 12 & 13 (T12S, R 20E). Application will also change the place of use of 298 acres in Sections 19 and 20 (T12S, R21E) to 298 acres in the south 1/2 of Section 7 (T12S, R21E) to facilitate a proposed land swap. The place of use for all of the rights will also change to reflect the connecting of the Fed Agribusiness system & rights with the Tugaw Ranches LLC system

- 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.

Part 1A.2

Application proposes to change the authorized points of diversion for water rights 45-2715, 45-7156, and 45-7456 to three existing wells located in Sections 12 & 13 (T12S, R 20E). Application will also change the place of use of 298 acres in Sections 19 and 20 (T12S, R21E) to 298 acres in the south 1/2 of Section 7 (T12S, R21E) to facilitate a proposed land swap. The place of use for all of the rights will also change to reflect the connecting of the Fed Agribusiness system & rights with the Tugaw Ranches LLC system & rights. The application will also record the actual stockwater place of use for right 45-4212 and identify a domestic place of use for right 45-2715.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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
45-2338	1.250 cfs	528.1 af	135.0	3101.0		N/A	N/A	N/A	N/A
45-2380	2.040 cfs	960.0 af	240.0	3101.0		N/A	N/A	N/A	N/A
45-2381	4.140 cfs	1280.0 af	320.0	3101.0		N/A	N/A	N/A	N/A
45-2384	1.420 cfs	599.9 af	275.0	3101.0		N/A	N/A	N/A	N/A
45-2589	1.100 cfs	160.0 af	40.0	3101.0		N/A	N/A	N/A	N/A
45-2596	3.320 cfs	664.0 af	166.0	3101.0		N/A	N/A	N/A	N/A
45-4239	4.080 cfs	1100.0 af	275.0	3101.0		N/A	N/A	N/A	N/A
45-7201	5.720 cfs	1352.0 af	338.0	3101.0		N/A	N/A	N/A	N/A
45-10158	0.800 cfs	160.0 af	40.0	3101.0		N/A	N/A	N/A	N/A
45-10164	2.470 cfs	N/A	309.0	3101.0		N/A	N/A	N/A	N/A
45-4212	1.200 cfs	N/A	N/A	3101.0		N/A	N/A	N/A	N/A
45-2057	3.680 cfs	N/A	N/A	3101.0		N/A	N/A	N/A	N/A
45-2321	3.500 cfs	N/A	N/A	3101.0		N/A	N/A	N/A	N/A
45-2575	0.550 cfs	N/A	491.0	3101.0		N/A	N/A	N/A	N/A
45-2322	3.330 cfs	N/A	275.0	3101.0		N/A	N/A	N/A	N/A
45-2283	1.640 cfs	N/A	160.0	3101.0		N/A	N/A	N/A	N/A
45-12757	0.480 cfs	N/A	85.0	3101.0		N/A	N/A	N/A	N/A
45-7456	0.700 cfs	296.8 af	302.0	3101.0		N/A	N/A	N/A	N/A
45-7156	2.000 cfs	970.2 af	292.0	3101.0		N/A	N/A	N/A	N/A
45-2715	1.540 cfs	765.0 af	N/A	3101.0		N/A	N/A	N/A	N/A
45-2626	1.540 cfs	576.0 af	N/A	3101.0		N/A	N/A	N/A	N/A
45-2374	1.180 cfs	498.5 af	N/A	3101.0		N/A	N/A	N/A	N/A

COMBINED TOTALS

44.580 cfs	N/A	3,101.0	3,101.0	N/A	N/A	N/A	N/A
------------	-----	---------	---------	-----	-----	-----	-----

2. Total amount of water proposed to be transferred or changed 44.58 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 I.
- ☐ 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 I.
- ☐ See Attachment.

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

Proposed Water Right No. 45-2338

Current Water Right Owner **FED AGRIBUSINESS LLC**
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 8/8/1950

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>
IRRIGATION	03/15	11/15	1.250 CFS	528.1 AFA	
Total Diversion			1.250 CFS	528.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENENE	Sec. 33 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNENW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNESW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
11S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
11S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
12S	20E	23	40.0	34.0	31.0	39.0	2.9				L 1	L 2		L 4	25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 135.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2380

Current Water Right Owner FED AGRIBUSINESS LLC
 568 W 1650 S
 OAKLEY, ID 83346

Priority Date: 6/5/1951

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>
IRRIGATION	03/15	11/15	2.040 CFS	960.0 AFA	
Total Diversion			2.040 CFS	960.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESESE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	39.0	40.0	39.0	38.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0				33.0	5.5					104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 240.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2381

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/5/1951

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>
IRRIGATION	03/15	11/15	4.140 CFS	1280.0 AFA	
Total Diversion			4.140 CFS	1280.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 320.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2384

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/18/1951

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>
IRRIGATION	03/15	11/15	1.420 CFS	599.9 AFA	
Total Diversion			1.420 CFS	599.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNESW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNENW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENENE	Sec. 33 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0													256.0
11S	20E	33	34.0			33.0									33.0	33.0	31.0	28.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
11S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
11S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0				33.0	5.5					104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 275.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2589

Current Water Right Owner **FED AGRIBUSINESS LLC**
 568 W 1650 S
 OAKLEY, ID 83346

Priority Date: 9/11/1959

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>
IRRIGATION	03/15	11/15	1.100 CFS	160.0 AFA	
Total Diversion			1.100 CFS	160.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 40.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-4239

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/1/1954

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>
IRRIGATION	03/15	11/15	4.080 CFS	1100.0 AFA	
Total Diversion			4.080 CFS	1100.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNENW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNESW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENENE	Sec. 33 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
11S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
11S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0				33.0	5.5					104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 275.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-7201

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 11/18/1974

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>
IRRIGATION	03/15	11/15	5.720 CFS	1352.0 AFA	
Total Diversion			5.720 CFS	1352.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			160.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 338.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-10158

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 5/1/1961

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>
IRRIGATION	03/15	11/15	0.800 CFS	160.0 AFA	
Total Diversion			0.800 CFS	160.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

SESESE

Sec. 26 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.6	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 40.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-4212

Current Water Right Owner TUGAW RANCHES LLC
 568 W 1650 S
 OAKLEY, ID 83346

Priority Date: 4/1/1899

Origin: Water Right

Basis: Decreed

Status: Active

Source: MOUNTAIN MEADOW CREEK **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.200 CFS	
STOCKWATER	01/01	12/31	0.040 CFS	
Total Diversion			1.200 CFS	

Source and Point(s) of Diversion:
 MOUNTAIN MEADOW CREEK SWSENE Sec. 21 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0				33.0	5.5					104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

POU Total Acres: 3,101.0

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	
12S	20E	10	X															X	
12S	20E	14						X											
12S	20E	15	X			X													

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

Proposed Water Right No. 45-2057

Current Water Right Owner
TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 5/19/1909

Origin: Water Right

Basis: Decreed

Status: Active

Source: BUCKHORN CREEK **Tributary:** SINKS
Source: ROBBER GULCH CREEK **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	3.680 CFS	
Total Diversion			3.680 CFS	

Source and Point(s) of Diversion:

BUCKHORN CREEK	SWNESE	Sec. 26 Twp 12S Rge 20E CASSIA County
ROBBER GULCH CREEK	SENWNW	Sec. 36 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0				33.0	5.5					104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2321

Current Water Right Owner TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 2/9/1954

Origin: Water Right

Basis: Decreed

Status: Active

Source: BUCKHORN CREEK **Tributary:** SINKS
Source: ROBBER GULCH CREEK **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	3.500 CFS	
Total Diversion			3.500 CFS	

Source and Point(s) of Diversion:

BUCKHORN CREEK	SWNESE	Sec. 26 Twp 12S Rge 20E CASSIA County
ROBBER GULCH CREEK	SENWNW	Sec. 36 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
12S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2575

Current Water Right Owner TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 4/3/1959

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>Subuse Code</u>
IRRIGATION	03/15	11/15	0.550 CFS	
Total Diversion			0.550 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 23 Twp 12S Rge 20E CASSIA County
GROUND WATER	NESWNW	Sec. 25 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSWNW	Sec. 25 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 491.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2322

Current Water Right Owner
TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 1/16/1950

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>Subuse Code</u>
IRRIGATION	03/15	11/15	3.330 CFS	
Total Diversion			3.330 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 23 Twp 12S Rge 20E CASSIA County
GROUND WATER	NESWNW	Sec. 25 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSWNW	Sec. 25 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 275.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2283

Current Water Right Owner
TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 12/13/1948

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>Subuse Code</u>
IRRIGATION	03/15	11/15	1.640 CFS	
Total Diversion			1.640 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 23 Twp 12S Rge 20E CASSIA County
GROUND WATER	NESWNW	Sec. 25 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSWNW	Sec. 25 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 160.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-12757

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/30/1985

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>Subuse Code</u>
IRRIGATION	03/15	11/15	0.480 CFS	
Total Diversion			0.480 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWNENW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNESW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENESE	Sec. 33 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
11S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
11S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.8								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 85.0
POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-7456

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 11/4/1980

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>
IRRIGATION	04/01	10/31	0.700 CFS	296.8 AFA	
Total Diversion			0.700 CFS	296.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
12S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 302.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-7156

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 10/17/1973

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>
IRRIGATION	03/15	11/15	2.000 CFS	970.2 AFA	
Total Diversion			2.000 CFS	970.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

Right Acre Limit: 292.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2715

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 2/11/1958

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>
DOMESTIC	01/01	12/31	0.040 CFS	14.5 AFA	
IRRIGATION	03/15	11/15	1.540 CFS	751.5 AFA	
Total Diversion			1.540 CFS	765.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E CASSIA County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	14						X											

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					258.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0				33.0	5.5					104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2626

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 8/22/1960

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>
IRRIGATION	03/15	11/15	1.540 CFS	576.0 AFA	
Total Diversion			1.540 CFS	576.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	250.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
11S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
11S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
11S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0			33.0	5.5						104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

POU Total Acres: 3,101.0

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

Proposed Water Right No. 45-2374

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 4/23/1951

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>
IRRIGATION	03/15	11/15	1.180 CFS	498.5 AFA	
Total Diversion			1.180 CFS	498.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	280.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	33.8	32.0					259.8
12S	20E	14	37.0	38.0	40.0	37.0	39.0	28.0	33.0	40.0	28.0	2.1		6.6	37.0	40.0	37.0	35.0	477.7
											L 1	L 2		L 4					
12S	20E	23	40.0	34.0	31.0	39.0	2.9								25.0	8.1			180.0
12S	20E	24						28.0	38.0				33.0	5.5					104.5
12S	21E	7									40.0	37.0	37.0	39.0	33.0	40.0	40.0	32.0	298.0

POU Total Acres: 3,101.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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
SYSTEM OF INTERCONNECTED WELLS - SURFACE WATER DIVERSIONS
SERVING INTERCONNECTED FARM LAND. THE FARM HAS
MEASURING DEVICES IN PLACE.
- b. Who owns the property at the point(s) of diversion
FED AGRI BUSINESS LLC AND THORNTON RANCHES LLC
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: NET LIFE - MORTGAGE INTEREST
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:
FARMED LAND IS IN CLOSE PROXIMITY TO ENTIRE FARM.
- 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:
ALL OTHER POINTS OF DIVERSION WILL REMAIN THE SAME
- 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. 45-2338

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 8/8/1950

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>
IRRIGATION	03/15	11/15	1.250 CFS	528.1 AFA	
Total Diversion			1.250 CFS	528.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNENW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNESW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENENE	Sec. 33 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
11S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
11S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19		31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 135.0

POU Total Acres: 2,330.0

Conditions/Remarks:

1. This right is limited to the irrigation of 135 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2338, 45-2384, and 45-4239 when combined shall not exceed the irrigation of 330 acres.
3. Rights 45-2338 and 45-12757 when combined shall not exceed a total diversion rate of 1.25 cfs, and a total annual maximum diversion volume of 528.1 af.
4. Rights 45-2338, 45-2384, 45-4239, and 45-12757 when combined shall not exceed a total diversion rate of 6.6 cfs, a total annual maximum diversion volume of 1320 af at the field headgate, and the irrigation of 415 acres.
5. Right No. 45-12757 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Use of this right is combined with water from Southwest Irrigation District.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. 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.
9. 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. 140.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.

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

Current Water Right No. 45-2380

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/5/1951

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>
IRRIGATION	03/15	11/15	2.040 CFS	960.0 AFA	
Total Diversion			2.040 CFS	960.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESESE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 240.0

POU Total Acres: 2,330.0

Conditions/Remarks:

- The point of diversion located in the SESESE, S34, T11S, R20E, and the two points of diversion located in the SESWSW, S11, T12S, R20E are limited to a combined maximum diversion rate of 4.14 cfs. These same wells are also recognized as low temperature geothermal wells and are limited to 4.14 cfs of low temperature geothermal water for irrigation.
- This right is limited to the irrigation of 240 acres within the authorized place of use in a single irrigation season.
- Rights 45-2380, 45-2381, 45-2589, and 45-7201 when combined shall not exceed a total annual maximum diversion volume of 3744 af at the field headgate, and the irrigation of 936 acres.
- 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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. Use of this right is combined with water from Southwest Irrigation District.
7. 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.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
13. 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.

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

Current Water Right No. 45-2381

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/5/1951

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>
IRRIGATION	03/15	11/15	4.140 CFS	1280.0 AFA	
Total Diversion			4.140 CFS	1280.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	18	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 320.0

POU Total Acres: 2,330.0

Conditions/Remarks:

- The point of diversion located in the SESESE, S34, T11S, R20E, and the two points of diversion located in the SESWSW, S11, T12S, R20E are limited to a combined maximum diversion rate of 4.14 cfs. These same wells are also recognized as low temperature geothermal wells and are limited to 4.14 cfs of low temperature geothermal water for irrigation.
 - This right is limited to the irrigation of 320 acres within the authorized place of use in a single irrigation season.
 - Rights 45-2380, 45-2381, 45-2589, and 45-7201 when combined shall not exceed a total annual maximum diversion volume of 3744 af at the field headgate, and the irrigation of 936 acres.
 - 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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. Use of this right is combined with water from Southwest Irrigation District.
7. 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.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
13. 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.

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

Current Water Right No. 45-2384

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/18/1951

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>
IRRIGATION	03/15	11/15	1.420 CFS	599.9 AFA	
Total Diversion			1.420 CFS	599.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNESW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNENW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENESE	Sec. 33 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 275.0

POU Total Acres: 2,330.0

Conditions/Remarks:

1. This right is limited to the irrigation of 275 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2384 and 45-4239 when combined shall not exceed the irrigation of 275 acres.
3. Rights 45-2338, 45-2384, and 45-4239 when combined shall not exceed a total irrigation of 330 acres.
4. Rights 45-2338, 45-2384, 45-4239, and 45-12757 when combined shall not exceed a total diversion rate of 6.6 cfs, a total annual maximum diversion volume of 1320 af at the field headgate, and the irrigation of 415 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of this right is combined with water from Southwest Irrigation District.

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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
13. 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.

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

Current Water Right No. 45-2589

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 9/11/1959

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>
IRRIGATION	03/15	11/15	1.100 CFS	160.0 AFA	
Total Diversion			1.100 CFS	160.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 40.0

POU Total Acres: 2,330.0

Conditions/Remarks:

- The point of diversion located in the SESESE, S34, T11S, R20E, and the two points of diversion located in the SESWSW, S11, T12S, R20E are limited to a combined maximum diversion rate of 4.14 cfs. These same wells are also recognized as low temperature geothermal wells and are limited to 4.14 cfs of low temperature geothermal water for irrigation.
- This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
- Rights 45-2380, 45-2381, 45-2589, and 45-7201 when combined shall not exceed a total annual maximum diversion volume of 3744 af at the field headgate, and the irrigation of 936 acres.
- 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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. Use of this right is combined with water from Southwest Irrigation District.
7. 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.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
13. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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.

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

Current Water Right No. 45-4239

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/1/1954

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>
IRRIGATION	03/15	11/15	4.080 CFS	1100.0 AFA	
Total Diversion			4.080 CFS	1100.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNENW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNESW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENENE	Sec. 33 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
11S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
11S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 275.0

POU Total Acres: 2,330.0

Conditions/Remarks:

1. This right is limited to the irrigation of 275 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2384 and 45-4239 when combined shall not exceed the irrigation of 275 acres.
3. Rights 45-2338, 45-2384, and 45-4239 when combined shall not exceed a total irrigation of 330 acres.
4. Rights 45-2338, 45-2384, 45-4239, and 45-12757 when combined shall not exceed a total diversion rate of 6.6 cfs, a total annual maximum diversion volume of 1320 af at the field headgate, and the irrigation of 415 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of this right is combined with water from Southwest Irrigation District.

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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
13. 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.

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

Current Water Right No. 45-7201

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 11/18/1974

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>
IRRIGATION	03/15	11/15	5.720 CFS	1352.0 AFA	
Total Diversion			5.720 CFS	1352.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 11 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSWSE	Sec. 12 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESWSW	Sec. 13 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 338.0

POU Total Acres: 2,330.0

Conditions/Remarks:

- The point of diversion located in the SESESE, S34, T11S, R20E, and the two points of diversion located in the SESWSW, S11, T12S, R20E are limited to a combined maximum diversion rate of 4.14 cfs. These same wells are also recognized as low temperature geothermal wells and are limited to 4.14 cfs of low temperature geothermal water for irrigation.
 - This right is limited to the irrigation of 338 acres within the authorized place of use in a single irrigation season.
 - Rights 45-2380, 45-2381, 45-2589, and 45-7201 when combined shall not exceed a total annual maximum diversion volume of 3744 af at the field headgate, and the irrigation of 936 acres.
 - 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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. Use of this right is combined with water from Southwest Irrigation District.
7. 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.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
13. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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.

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

Current Water Right No. 45-4212

Current Water Right Owner TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 4/1/1899

Origin: Water Right

Basis: Decreed

Status: Active

Source: MOUNTAIN MEADOW CREEK **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.200 CFS	
STOCKWATER	01/01	12/31	0.040 CFS	
Total Diversion			1.200 CFS	

Source and Point(s) of Diversion:
MOUNTAIN MEADOW CREEK SWSENE Sec. 21 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	14					5.0	35.0	20.0										60.0

POU Total Acres: 60.0

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	
12S	20E	14					X	X	X										0.0

Conditions/Remarks:

1. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. This partial decree is subject to such general provisions necessary for the definition of the rights or for 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.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 771 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2057, 45-2283, 45-2321, 45-2322, 45-2575, 45-4212.
4. THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

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

Current Water Right No. 45-2057

Current Water Right Owner TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 5/19/1909

Origin: Water Right

Basis: Decreed

Status: Active

Source: BUCKHORN CREEK **Tributary:** SINKS
Source: ROBBER GULCH CREEK **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	3.680 CFS	
Total Diversion			3.680 CFS	

Source and Point(s) of Diversion:
 BUCKHORN CREEK SWNESE Sec. 26 Twp 12S Rge 20E CASSIA County
 ROBBER GULCH CREEK SENWNW Sec. 36 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	23			33.0	40.0									26.0	6.0			105.0
12S	20E	24							34.0				39.0	6.0					79.0

POU Total Acres: 184.0

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 771 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2057, 45-2283, 45-2321, 45-2322, 45-2575, 45-4212.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NO. 45-2321 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 380 ACRES IN A SINGLE IRRIGATION SEASON.
4. THE TOTAL DIVERSION RATE DESCRIBED ABOVE INCLUDES 2.0 CFS FROM BUCKHORN CREEK AND 1.68 CFS FROM ROBBER GULCH CREEK.
5. This partial decree is subject to such general provisions necessary for the definition of the rights or for 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.
6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

Current Water Right No. 45-2321

Current Water Right Owner TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 2/9/1954

Origin: Water Right

Basis: Decreed

Status: Active

Source: ROBBER GULCH CREEK **Tributary:** SINKS
Source: BUCKHORN CREEK **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	3.500 CFS	
Total Diversion			3.500 CFS	

Source and Point(s) of Diversion:
 ROBBER GULCH CREEK SENWNW Sec. 36 Twp 12S Rge 20E CASSIA County
 BUCKHORN CREEK SWNESE Sec. 26 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	13											9.3						9.3
12S	20E	14															29.0	39.0	68.0
12S	20E	23	40.0	36.0	33.0	40.0									26.0	5.7			180.7
	20E	24						37.0	40.0			39.0	6.0						122.0

POU Total Acres: 380.0

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 771 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2057, 45-2283, 45-2321, 45-2322, 45-2575, 45-4212.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NO. 45-2321 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 380 ACRES IN A SINGLE IRRIGATION SEASON.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for 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.

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

Current Water Right No. 45-2575

Current Water Right Owner TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 4/3/1959

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>Subuse Code</u>
IRRIGATION	03/15	11/15	0.550 CFS	
Total Diversion			0.550 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NESWNW	Sec. 25 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSESE	Sec. 23 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSWNW	Sec. 25 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	13											9.3						9.3
12S	20E	14	38.0	36.0	40.0	39.0	39.0	35.0	20.0	39.0	26.0				39.0	40.0	29.0	39.0	459.0
12S	20E	23	40.0	36.0	33.0	40.0									26.0	5.7			180.7
12S	20E	24						37.0	40.0			39.0	6.0						122.0

Right Acre Limit: 491.0

POU Total Acres: 771.0

Conditions/Remarks:

1. A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS.
2. Right holder shall comply with the drilling permit.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
The right holder shall accomplish the change authorized by transfer #4065 by 4-17-1996.
Failure of the right holder to comply with the conditions of transfer #4065 is cause for the Director to rescind approval of the transfer.
Approval of transfer #4065 does not preclude the opportunity for review of the validity of the water rights in the ongoing Snake River Basin Adjudication.
3. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 45-O.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for 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.
5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.52 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1663.0 AF.
COMBINED RIGHT NOS.: 45-2283, 45-2322, 45-2575.

IO DEPARTMENT OF WATER RESOURC
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

- THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUND WATER DIVERSIONS UNDER THIS RIGHT AND SHALL ONLY DIVERT GROUND WATER UNDER THIS RIGHT WHEN THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.
7. DIVERSION OF WATER UNDER THIS RIGHT IS SUBJECT TO TERMS AND CONDITIONS OF STIPULATED JUDGEMENT DATED 6-25-1980.
 8. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 771 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2057, 45-2283, 45-2321, 45-2322, 45-2575, 45-4212.
 9. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 491 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
 10. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 733.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2283, 45-2322, 45-2575.

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

Current Water Right No. 45-2322

Current Water Right Owner TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 1/16/1950

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>Subuse Code</u>
IRRIGATION	03/15	11/15	3.330 CFS	
Total Diversion			3.330 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NESWNW	Sec. 25 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSWNW	Sec. 25 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSESE	Sec. 23 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	13											9.3						9.3
12S	20E	14	38.0	36.0	40.0	39.0	39.0	35.0	20.0	39.0	26.0				39.0	40.0	29.0	39.0	459.0
12S	20E	23	40.0	36.0	33.0	40.0									26.0	5.7			180.7
5	20E	24						37.0	40.0			39.0	6.0						122.0

Right Acre Limit: 275.0

POU Total Acres: 771.0

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 771 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2057, 45-2283, 45-2321, 45-2322, 45-2575, 45-4212.
2. DIVERSION OF WATER UNDER THIS RIGHT IS SUBJECT TO TERMS AND CONDITIONS OF STIPULATED JUDGEMENT DATED 6-25-1980.
3. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUND WATER DIVERSIONS UNDER THIS RIGHT AND SHALL ONLY DIVERT GROUND WATER UNDER THIS RIGHT WHEN THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 733.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2283, 45-2322, 45-2575.
5. This partial decree is subject to such general provisions necessary for the definition of the rights or for 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

- J. Right holder shall comply with the drilling permit.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
The right holder shall accomplish the change authorized by transfer #4065 by 4-17-1996.
Failure of the right holder to comply with the conditions of transfer #4065 is cause for the Director to rescind approval of the transfer.
Approval of transfer #4065 does not preclude the opportunity for review of the validity of the water rights in the ongoing Snake River Basin Adjudication.
7. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 275 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
8. A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS.
9. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 45-O.
10. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.52 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1663.0 AF.
COMBINED RIGHT NOS.: 45-2283, 45-2322, 45-2575.

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

Current Water Right No. 45-2283

Current Water Right Owner TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 12/13/1948

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>Subuse Code</u>
IRRIGATION	03/15	11/15	1.640 CFS	
Total Diversion			1.640 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NESWNW	Sec. 25 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSWNW	Sec. 25 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSESE	Sec. 23 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	13											9.3						9.3
12S	20E	14	38.0	36.0	40.0	39.0	39.0	35.0	20.0	39.0	26.0				39.0	40.0	29.0	39.0	459.0
12S	20E	23	40.0	36.0	33.0	40.0									26.0	5.7			180.7
12S	20E	24						37.0	40.0			39.0	6.0						122.0

Right Acre Limit: 160.0

POU Total Acres: 771.0

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.52 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1663.0 AF. COMBINED RIGHT NOS.: 45-2283, 45-2322, 45-2575.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 733.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2283, 45-2322, 45-2575.
- A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 771 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2057, 45-2283, 45-2321, 45-2322, 45-2575, 45-4212.
- This partial decree is subject to such general provisions necessary for the definition of the rights or for 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.

IDAHO DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

- THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUND WATER DIVERSIONS UNDER THIS RIGHT AND SHALL ONLY DIVERT GROUND WATER UNDER THIS RIGHT WHEN THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.
8. DIVERSION OF WATER UNDER THIS RIGHT IS SUBJECT TO TERMS AND CONDITIONS OF STIPULATED JUDGEMENT DATED 6-25-1980.
9. Right holder shall comply with the drilling permit.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
The right holder shall accomplish the change authorized by transfer #4065 by 4-17-1996.
Failure of the right holder to comply with the conditions of transfer #4065 is cause for the Director to rescind approval of the transfer.
Approval of transfer #4065 does not preclude the opportunity for review of the validity of the water rights in the ongoing Snake River Basin Adjudication.
10. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 45-O.

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

Current Water Right No. 45-12757

Current Water Right Owner FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/30/1985

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>Subuse Code</u>
IRRIGATION	03/15	11/15	0.480 CFS	
Total Diversion			0.480 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWNENW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNESW	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENESE	Sec. 33 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
11S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
11S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 85.0

POU Total Acres: 2,330.0

Conditions/Remarks:

1. This right is limited to the irrigation of 85 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2338 and 45-12757 when combined shall not exceed a total diversion rate of 1.25 cfs, and a total annual maximum diversion volume of 528.1 af.
3. Rights 45-2338, 45-2384, 45-4239, and 45-12757 when combined shall not exceed a total diversion rate of 6.6 cfs, a total annual maximum diversion volume of 1320 af at the field headgate, and the irrigation of 415 acres.
4. This right is an expansion of Right No. 45-2338 pursuant to Section 42-1416B, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of this right is combined with water from Southwest Irrigation District.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. 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.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
13. 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.

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

Current Water Right No. 45-7456

Current Water Right Owner FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 11/4/1980

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>
IRRIGATION	04/01	10/31	0.700 CFS	296.8 AFA	
Total Diversion			0.700 CFS	296.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSWNE	Sec. 19 Twp 12S Rge 21E CASSIA County
GROUND WATER	SENENE	Sec. 19 Twp 12S Rge 21E CASSIA County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	281.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	28.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 302.0

POU Total Acres: 2,330.0

Conditions/Remarks:

1. This right is limited to the irrigation of 302 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2715, 45-7156, and 45-7456 when combined shall not exceed a total annual maximum diversion volume of 1208 af at the field headgate and the irrigation of 320 acres.
3. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Use of this right is combined with water from Southwest Irrigation District.
6. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. 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. 140.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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.

IDaho DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 45-7156

Current Water Right Owner FED AGRIBUSINESS LLC
 568 W 1650 S
 OAKLEY, ID 83346

Priority Date: 10/17/1973

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>
IRRIGATION	03/15	11/15	2.000 CFS	970.2 AFA	
Total Diversion			2.000 CFS	970.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENENE	Sec. 19 Twp 12S Rge 21E CASSIA County
GROUND WATER	SWSWNE	Sec. 19 Twp 12S Rge 21E CASSIA County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 292.0

POU Total Acres: 2,330.0

Conditions/Remarks:

1. This right is limited to the irrigation of 292 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2715, 45-7156, and 45-7456 when combined shall not exceed a total annual maximum diversion volume of 1208 af at the field headgate, and the irrigation of 320 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. Use of this right is combined with water from Southwest Irrigation District.
5. 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. 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. 140.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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

Current Water Right No. 45-2715

Current Water Right Owner
 FED AGRIBUSINESS LLC
 568 W 1650 S
 OAKLEY, ID 83346

Priority Date: 2/11/1958

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>
DOMESTIC	01/01	12/31	0.040 CFS	14.5 AFA	
IRRIGATION	03/15	11/15	1.540 CFS	751.5 AFA	
Total Diversion			1.540 CFS	765.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENENE	Sec. 19 Twp 12S Rge 21E CASSIA County
GROUND WATER	SWSWNE	Sec. 19 Twp 12S Rge 21E CASSIA County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	21E	19			X														0.0

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

POU Total Acres: 2,330.0

Conditions/Remarks:

1. Rights 45-2715, 45-7156, and 45-7456 when combined shall not exceed a total annual maximum diversion volume of 1208 af at the field headgate, and the irrigation of 320 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. Use of this right is combined with water from Southwest Irrigation District.
4. 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.
5. 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. 140.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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. 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.

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

Current Water Right No. 45-2626

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 8/22/1960

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>
IRRIGATION	03/15	11/15	1.540 CFS	576.0 AFA	
Total Diversion			1.540 CFS	576.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
12S	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
12S	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

POU Total Acres: 2,330.0

Conditions/Remarks:

1. Rights 45-2374 and 45-2626 when combined shall not exceed a total annual maximum diversion volume of 576.0 af at the field headgate, and the irrigation of 144 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. Use of this right is combined with water from Southwest Irrigation District.
4. 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.
5. 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. 140.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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

Current Water Right No. 45-2374

Current Water Right Owner
FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 4/23/1951

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>
IRRIGATION	03/15	11/15	1.180 CFS	498.5 AFA	
Total Diversion			1.180 CFS	498.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENE	Sec. 34 Twp 11S Rge 20E TWIN FALLS County

Place of Use: IRRIGATION

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	20E	26									33.0	33.0	34.0	33.0	32.0	32.0	32.0	31.0	260.0
11S	20E	27	33.0	34.0	34.0	32.0									31.0	33.0	31.0	28.0	256.0
11S	20E	33	34.0			33.0									33.0			30.0	130.0
11S	20E	34	31.0	34.0	40.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	32.0	39.0	39.0	40.0	39.0	38.0	609.0
12S	20E	11									33.0	33.0	33.0	33.0	33.0	34.0	33.0	33.0	265.0
	20E	12	33.0	32.0	33.0	33.0									33.0	32.0	32.0	33.0	261.0
	20E	13					34.0	33.0	32.0	33.0	32.0	30.0	25.0	32.0					251.0
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40.0	40.0	40.0	40.0									160.0

POU Total Acres: 2,330.0

Conditions/Remarks:

1. Rights 45-2374 and 45-2626 when combined shall not exceed a total annual maximum diversion volume of 576.0 af at the field headgate, and the irrigation of 144 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. Use of this right is combined with water from Southwest Irrigation District.
4. 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.
5. 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. 140.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

1. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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. 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.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☐ 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

[illegible]

Received By P. SKINNER Date 6/4/2015 Prelim. Check By _____ Date _____
 Fee Paid \$3070.00 Date 6/4/2015 Received By P. SKINNER Receipt # 5034814
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

No. W 120603	Due no later than Jan 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. TUGAW RANCHES, LLC DAVID J. PICKETT 568 W 1650 S OAKLEY ID 83346		JOAN TUGAW 3277 WOODRIDGE DR TWIN FALLS 83301			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	DOUGLAS T. PICKETT	568 WEST 1650 SOUTH	OAKLEY	ID	USA	83346
MEMBER	DON F. PICKETT	568 WEST 1650 SOUTH	OAKLEY	ID	USA	83346
MEMBER	DAVID J. PICKETT	568 WEST 1650 SOUTH	OAKLEY	ID	USA	83346
5. Organized Under the Laws of: ID W 120603		6. Annual Report must be signed.* Signature: David J. Pickett Name (type or print): David J. Pickett Date: 12/03/2014 Title: Managing Member				
Processed 12/03/2014		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 80092

No. W 20210	Due no later than Aug 31, 2014 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. FED AGRIBUSINESS, LLC DAVID J. PICKETT 568 W. 1650 S. OAKLEY ID 83346		DAVID J PICKETT 568 W. 1650 S. OAKLEY ID 83346			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	DON F PICKETT	568 W. 1650 S.	OAKLEY	ID	USA	83346
MEMBER	DAVID J. PICKETT	568 W. 1650 S.	OAKLEY	ID	USA	83346
MEMBER	DOUGLAS T. PICKETT	568 W. 1650 S.	OAKLEY	ID	USA	83346
5. Organized Under the Laws of: ID W 20210		6. Annual Report must be signed.* Signature: David J. Pickett Name (type or print): David J. Pickett Date: 06/19/2014 Title: Managing Member				
Processed 06/19/2014		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 80092

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

RECEIVED

JUN 08 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 176173, 196372 and 197256 – Fed Agribusiness, LLC, Consolidated Ag Properties, LLC, and Tugaw Ranches, LLC (the "Borrowers") Cassia County, Idaho

Application for Transfer of Water Right No. 45-2057, 45-2283, 45-2321, 45-2322, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2575, 45-2589, 45-2596, 45-2626, 45-2715, 45-4212, 45-4239, 45-7156, 45-7201, 45-7456, 45-10158, 45-10164, and 45-12757

Dear Sir or Madam:

MetLife holds a security interest in water right numbers 45-2057, 45-2283, 45-2321, 45-2322, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2575, 45-2589, 45-2596, 45-2626, 45-2715, 45-4212, 45-4239, 45-7156, 45-7201, 45-7456, 45-10158, 45-10164, and 45-12757 (the "Water Rights") and has been asked to consent to permit the changing of the point of diversion and the point of use, 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 80092

**METROPOLITAN LIFE INSURANCE
COMPANY**

By: 
Name: John C. Espenmiller
Its: Director

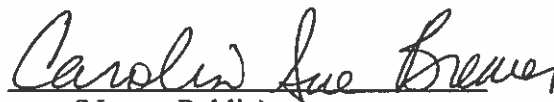
June 3, 2015

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 3 day of June, 2015.


(Notary Public)

My Commission Expires: 6-11-2017



Copies to: Clear Creek Land and Management

Tugaw Ranches LLC hereby grants permission to Fed Agribusiness LLC to move water rights owned by Fed Agribusiness LLC to lands owned by Tugaw Ranches LLC as described by proposed water right transfer # 80092. Tugaw Ranches LLC also hereby acknowledges that after transferring water rights owned by Fed Agribusiness LLC to lands owned by Tugaw Ranches LLC as described by proposed water right transfer # 80092 that the rights will continue to be owned by Fed Agribusiness LLC.

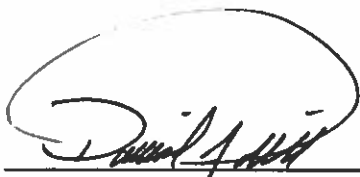


Tugaw Ranches LLC

3 June 15

Date

Fed Agribusiness LLC hereby grants permission to Tugaw Ranches LLC to move water rights owned by Tugaw Ranches LLC to lands owned by Fed Agribusiness LLC as described by proposed water right transfer # 80092. Fed Agribusiness LLC also hereby acknowledges that after transferring water rights owned by Tugaw Ranches LLC to lands owned by Fed Agribusiness LLC as described by proposed water right transfer # 80092 that the rights will continue to be owned by Tugaw Ranches LLC.



Fed Agribusiness LLC

3 June 15

Date

PKD Properties LC and TLD Properties LLC hereby grant permission to Fed Agribusiness LLC and Tugaw Ranches LLC to move water rights owned by Fed Agribusiness LLC and Tugaw Ranches LLC to land owned by PKD Properties LC and TLD Properties LLC located within the South ½ of Section 7, Township 12 South, Range 21 East as described by proposed water right transfer # 80092. PKD Properties LC and TLD Properties LLC also hereby acknowledge that any water rights moved to the South ½ of Section 7, Township 12 South, Range 21 East as described by proposed water right transfer # 80092 will continue to be owned by Fed Agribusiness LLC and Tugaw Ranches LLC.

Paul F. Duncan
PKD Properties LC

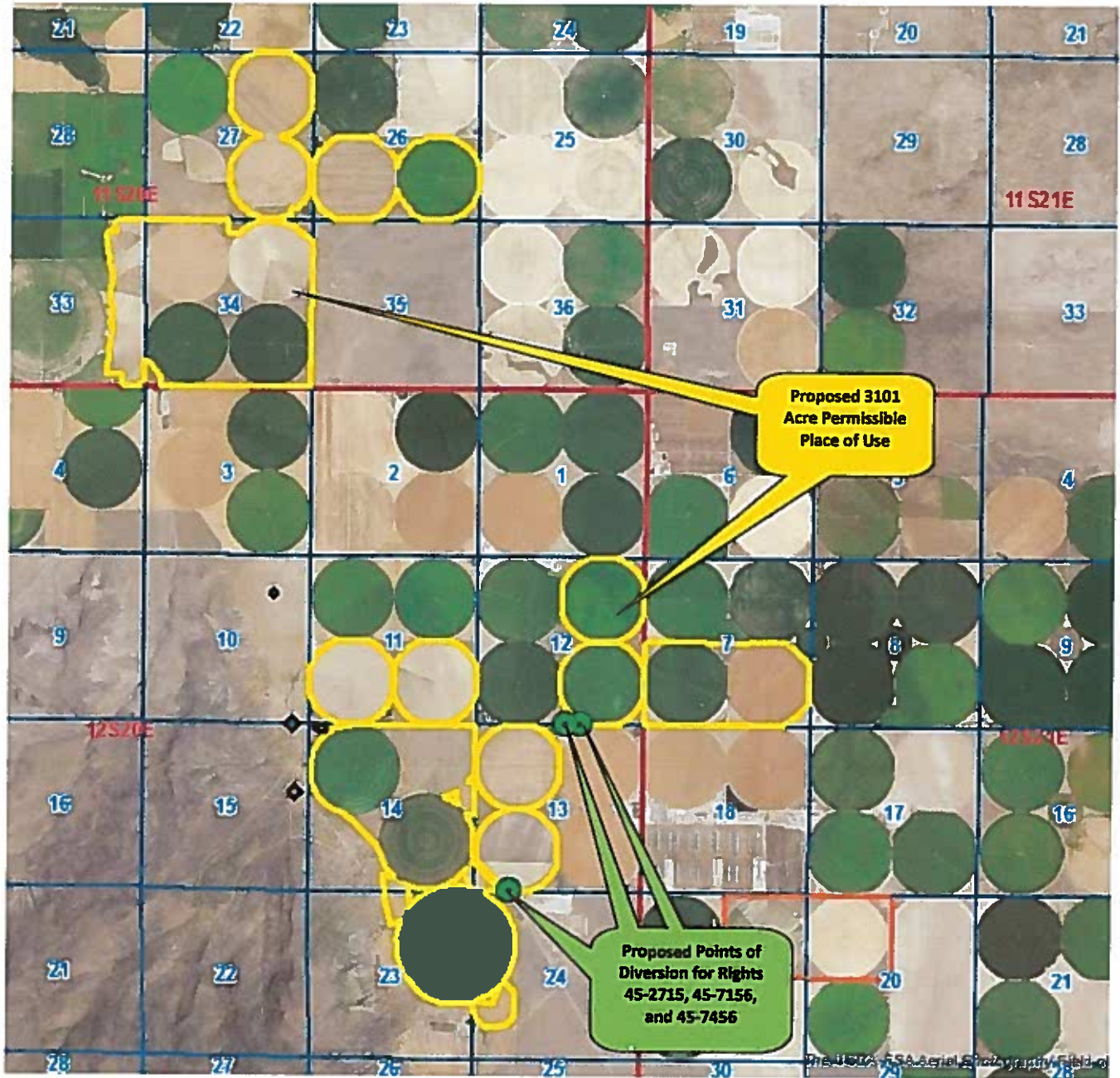
6-2-15
Date

Taylor Duncan
TLD Properties LLC

6-2-15
Date

Transfer # 80092 Map

2013 Aerial Photography



TRANSFER 80092

Transfer # 80092 Map

45-4212 Stockwater POU and 45-2715 Domestic POU

2013 Aerial Photography



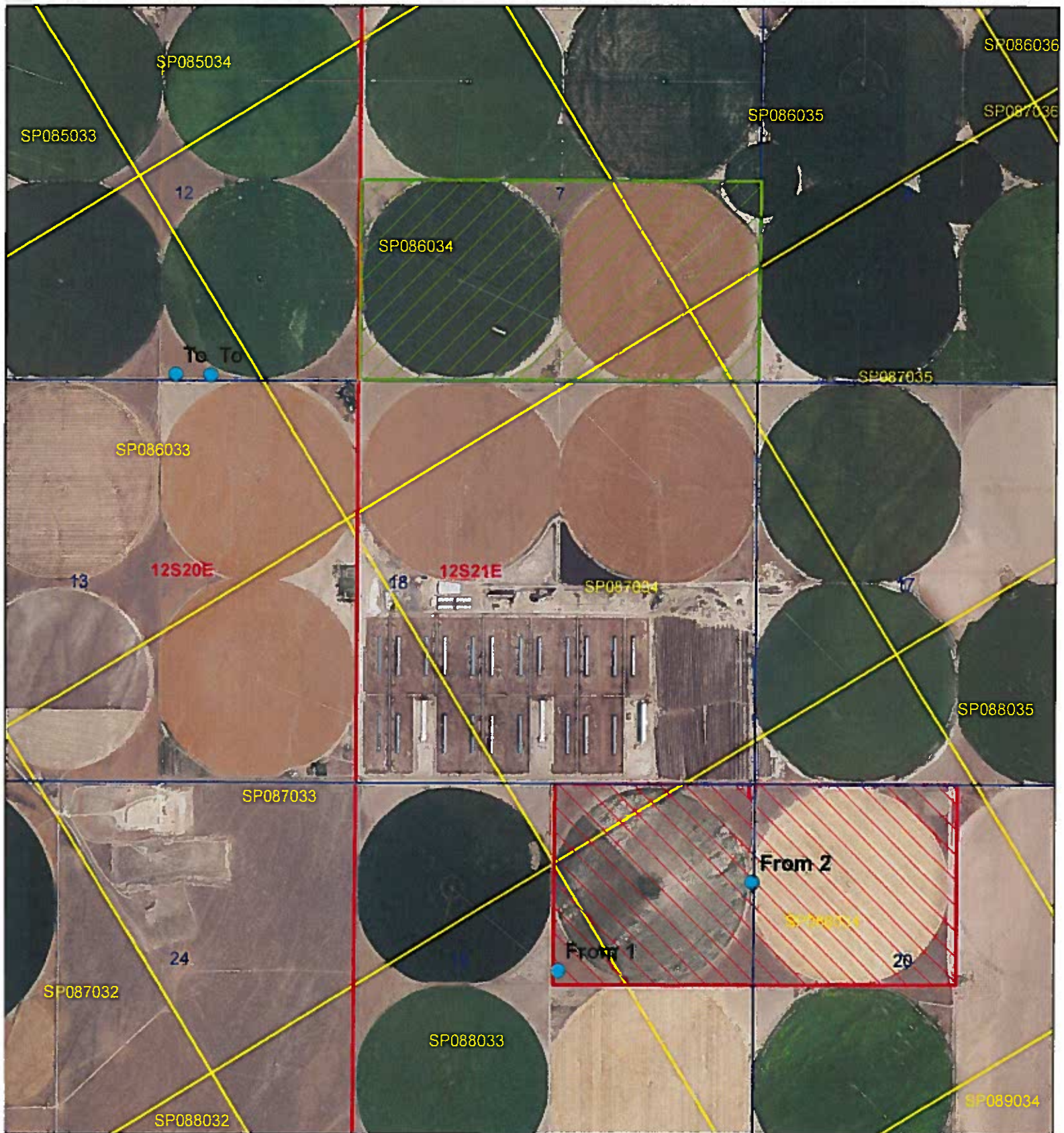
45-4212
Stockwater POU

45-2715
Domestic POU

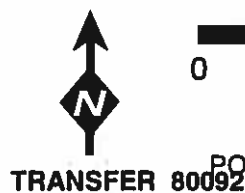
45-4212
Stockwater POU

45-4212
Stockwater POU

Pickot Transfer ESPAM Analysis



- Wells Involved
- Model Grid
- New POU
- Township/Range
- From POU
- Sections



*Map show information for model analysis only.
POU not representative of combined area for transfer.

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

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

TRANSFER NO:

YEAR 1958
SEASON SPRING

TRANSFER NAME
Pickett LS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	86	88	88	0
COLUMN	33	33	34	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 1958	0	752	752	0	0	0	0
SUM 1958	0	752	752	0	0	0	0
WIN 1958	0	752	752	0	0	0	0
SPR 1959	0	752	752	0	0	0	0
SUM 1959	0	752	752	0	0	0	0
WIN 1959	0	752	752	0	0	0	0
SPR 1960	0	752	752	0	0	0	0
SUM 1960	0	752	752	0	0	0	0
WIN 1960	0	752	752	0	0	0	0
SPR 1961	0	752	752	0	0	0	0
SUM 1961	0	752	752	0	0	0	0
WIN 1961	0	752	752	0	0	0	0
SPR 1962	0	752	752	0	0	0	0
SUM 1962	0	752	752	0	0	0	0
WIN 1962	0	752	752	0	0	0	0
SPR 1963	0	752	752	0	0	0	0
SUM 1963	0	752	752	0	0	0	0
WIN 1963	0	752	752	0	0	0	0
SPR 1964	0	752	752	0	0	0	0
SUM 1964	0	752	752	0	0	0	0
WIN 1964	0	752	752	0	0	0	0
SPR 1965	0	752	752	0	0	0	0
SUM 1965	0	752	752	0	0	0	0
WIN 1965	0	752	752	0	0	0	0
SPR 1966	0	752	752	0	0	0	0
SUM 1966	0	752	752	0	0	0	0
WIN 1966	0	752	752	0	0	0	0
SPR 1967	0	752	752	0	0	0	0
SUM 1967	0	752	752	0	0	0	0
WIN 1967	0	752	752	0	0	0	0
SPR 1968	0	752	752	0	0	0	0
SUM 1968	0	752	752	0	0	0	0
WIN 1968	0	752	752	0	0	0	0
SPR 1969	0	752	752	0	0	0	0
SUM 1969	0	752	752	0	0	0	0

WIN 1969	0	752	752	0	0	0	0
SPR 1970	0	752	752	0	0	0	0
SUM 1970	0	752	752	0	0	0	0
WIN 1970	0	752	752	0	0	0	0
SPR 1971	0	752	752	0	0	0	0
SUM 1971	0	752	752	0	0	0	0
WIN 1971	0	752	752	0	0	0	0
SPR 1972	0	752	752	0	0	0	0
SUM 1972	0	752	752	0	0	0	0
WIN 1972	0	752	752	0	0	0	0
SPR 1973	0	752	752	0	0	0	0
SUM 1973	0	752	752	457	457	0	0
WIN 1973	0	752	752	457	457	0	0
SPR 1974	0	752	752	457	457	0	0
SUM 1974	0	752	752	457	457	0	0
WIN 1974	0	752	752	457	457	0	0
SPR 1975	0	752	752	457	457	0	0
SUM 1975	0	752	752	457	457	0	0
WIN 1975	0	752	752	457	457	0	0
SPR 1976	0	752	752	457	457	0	0
SUM 1976	0	752	752	457	457	0	0
WIN 1976	0	752	752	457	457	0	0
SPR 1977	0	752	752	457	457	0	0
SUM 1977	0	752	752	457	457	0	0
WIN 1977	0	752	752	457	457	0	0
SPR 1978	0	752	752	457	457	0	0
SUM 1978	0	752	752	457	457	0	0
WIN 1978	0	752	752	457	457	0	0
SPR 1979	0	752	752	457	457	0	0
SUM 1979	0	752	752	457	457	0	0
WIN 1979	0	752	752	457	457	0	0
SPR 1980	0	752	752	457	457	0	0
SUM 1980	0	752	752	457	457	0	0
WIN 1980	0	752	752	457	457	0	0
SPR 1981	0	752	752	457	457	0	0
SUM 1981	0	752	752	457	457	0	0
WIN 1981	0	752	752	457	457	0	0
SPR 1982	0	752	752	457	457	0	0
SUM 1982	0	752	752	457	457	0	0
WIN 1982	0	752	752	457	457	0	0
SPR 1983	0	752	752	457	457	0	0
SUM 1983	0	752	752	457	457	0	0
WIN 1983	0	752	752	457	457	0	0
SPR 1984	0	752	752	457	457	0	0
SUM 1984	0	752	752	457	457	0	0
WIN 1984	0	752	752	457	457	0	0
SPR 1985	0	752	752	457	457	0	0
SUM 1985	0	752	752	457	457	0	0
WIN 1985	0	752	752	457	457	0	0
SPR 1986	0	752	752	457	457	0	0
SUM 1986	0	752	752	457	457	0	0
WIN 1986	0	752	752	457	457	0	0
SPR 1987	0	752	752	457	457	0	0
SUM 1987	0	752	752	457	457	0	0
WIN 1987	0	752	752	457	457	0	0
SPR 1988	0	752	752	457	457	0	0
SUM 1988	0	752	752	457	457	0	0
WIN 1988	0	752	752	457	457	0	0
SPR 1989	0	752	752	457	457	0	0
SUM 1989	0	752	752	457	457	0	0
WIN 1989	0	752	752	457	457	0	0
SPR 1990	0	752	752	457	457	0	0
SUM 1990	0	752	752	457	457	0	0
WIN 1990	0	752	752	457	457	0	0
SPR 1991	0	752	752	457	457	0	0
SUM 1991	0	752	752	457	457	0	0

WIN 1991	0	752	752	457	457	0	0
SPR 1992	0	752	752	457	457	0	0
SUM 1992	0	752	752	457	457	0	0
WIN 1992	0	752	752	457	457	0	0
SPR 1993	0	752	752	457	457	0	0
SUM 1993	0	752	752	457	457	0	0
WIN 1993	0	752	752	457	457	0	0
SPR 1994	0	752	752	457	457	0	0
SUM 1994	0	752	752	457	457	0	0
WIN 1994	0	752	752	457	457	0	0
SPR 1995	0	752	752	457	457	0	0
SUM 1995	0	752	752	457	457	0	0
WIN 1995	0	752	752	457	457	0	0
SPR 1996	0	752	752	457	457	0	0
SUM 1996	0	752	752	457	457	0	0
WIN 1996	0	752	752	457	457	0	0
SPR 1997	0	752	752	457	457	0	0
SUM 1997	0	752	752	457	457	0	0
WIN 1997	0	752	752	457	457	0	0
SPR 1998	0	752	752	457	457	0	0
SUM 1998	0	752	752	457	457	0	0
WIN 1998	0	752	752	457	457	0	0
SPR 1999	0	752	752	457	457	0	0
SUM 1999	0	752	752	457	457	0	0
WIN 1999	0	752	752	457	457	0	0
SPR 2000	0	752	752	457	457	0	0
SUM 2000	0	752	752	457	457	0	0
WIN 2000	0	752	752	457	457	0	0
SPR 2001	0	752	752	457	457	0	0
SUM 2001	0	752	752	457	457	0	0
WIN 2001	0	752	752	457	457	0	0
SPR 2002	0	752	752	457	457	0	0
SUM 2002	0	752	752	457	457	0	0
WIN 2002	0	752	752	457	457	0	0
SPR 2003	0	752	752	457	457	0	0
SUM 2003	0	752	752	457	457	0	0
WIN 2003	0	752	752	457	457	0	0
SPR 2004	0	752	752	457	457	0	0
SUM 2004	0	752	752	457	457	0	0
WIN 2004	0	752	752	457	457	0	0
SPR 2005	0	752	752	457	457	0	0
SUM 2005	0	752	752	457	457	0	0
WIN 2005	0	752	752	457	457	0	0
SPR 2006	0	752	752	457	457	0	0
SUM 2006	0	752	752	457	457	0	0
WIN 2006	0	752	752	457	457	0	0
SPR 2007	0	752	752	457	457	0	0
SUM 2007	0	752	752	457	457	0	0
WIN 2007	0	752	752	457	457	0	0
SPR 2008	0	752	752	457	457	0	0
SUM 2008	0	752	752	457	457	0	0
WIN 2008	0	752	752	457	457	0	0
SPR 2009	0	752	752	457	457	0	0
SUM 2009	0	752	752	457	457	0	0
WIN 2009	0	752	752	457	457	0	0
SPR 2010	0	752	752	457	457	0	0
SUM 2010	0	752	752	457	457	0	0
WIN 2010	0	752	752	457	457	0	0
SPR 2011	0	752	752	457	457	0	0
SUM 2011	0	752	752	457	457	0	0
WIN 2011	0	752	752	457	457	0	0
SPR 2012	0	752	752	457	457	0	0
SUM 2012	0	752	752	457	457	0	0
WIN 2012	0	752	752	457	457	0	0
SPR 2013	0	752	752	457	457	0	0
SUM 2013	0	752	752	457	457	0	0
WIN 2013	0	752	752	457	457	0	0
SPR 2014	0	752	752	457	457	0	0

SUM 2014	0	752	752	457	457	0	0
WIN 2014	0	752	752	457	457	0	0
SPR 2015	1,208	0	752	0	457	0	0
SUM 2015	1,208	0	752	0	457	0	0
WIN 2015	1,208	0	752	0	457	0	0
SPR 2016	1,208	0	752	0	457	0	0
SUM 2016	1,208	0	752	0	457	0	0
WIN 2016	1,208	0	752	0	457	0	0
SPR 2017	1,208	0	752	0	457	0	0
SUM 2017	1,208	0	752	0	457	0	0
WIN 2017	1,208	0	752	0	457	0	0
SPR 2018	1,208	0	752	0	457	0	0
SUM 2018	1,208	0	752	0	457	0	0
WIN 2018	1,208	0	752	0	457	0	0
SPR 2019	1,208	0	752	0	457	0	0
SUM 2019	1,208	0	752	0	457	0	0
WIN 2019	1,208	0	752	0	457	0	0
SPR 2020	1,208	0	752	0	457	0	0
SUM 2020	1,208	0	752	0	457	0	0
WIN 2020	1,208	0	752	0	457	0	0
SPR 2021	1,208	0	752	0	457	0	0
SUM 2021	1,208	0	752	0	457	0	0
WIN 2021	1,208	0	752	0	457	0	0
SPR 2022	1,208	0	752	0	457	0	0
SUM 2022	1,208	0	752	0	457	0	0
WIN 2022	1,208	0	752	0	457	0	0
SPR 2023	1,208	0	752	0	457	0	0
SUM 2023	1,208	0	752	0	457	0	0
WIN 2023	1,208	0	752	0	457	0	0
SPR 2024	1,208	0	752	0	457	0	0
SUM 2024	1,208	0	752	0	457	0	0
WIN 2024	1,208	0	752	0	457	0	0
SPR 2025	1,208	0	752	0	457	0	0
SUM 2025	1,208	0	752	0	457	0	0
WIN 2025	1,208	0	752	0	457	0	0
SPR 2026	1,208	0	752	0	457	0	0
SUM 2026	1,208	0	752	0	457	0	0
WIN 2026	1,208	0	752	0	457	0	0
SPR 2027	1,208	0	752	0	457	0	0
SUM 2027	1,208	0	752	0	457	0	0
WIN 2027	1,208	0	752	0	457	0	0
SPR 2028	1,208	0	752	0	457	0	0
SUM 2028	1,208	0	752	0	457	0	0
WIN 2028	1,208	0	752	0	457	0	0
SPR 2029	1,208	0	752	0	457	0	0
SUM 2029	1,208	0	752	0	457	0	0
WIN 2029	1,208	0	752	0	457	0	0
SPR 2030	1,208	0	752	0	457	0	0
SUM 2030	1,208	0	752	0	457	0	0
WIN 2030	1,208	0	752	0	457	0	0
SPR 2031	1,208	0	752	0	457	0	0
SUM 2031	1,208	0	752	0	457	0	0
WIN 2031	1,208	0	752	0	457	0	0
SPR 2032	1,208	0	752	0	457	0	0
SUM 2032	1,208	0	752	0	457	0	0
WIN 2032	1,208	0	752	0	457	0	0
SPR 2033	1,208	0	752	0	457	0	0
SUM 2033	1,208	0	752	0	457	0	0
WIN 2033	1,208	0	752	0	457	0	0
SPR 2034	1,208	0	752	0	457	0	0
SUM 2034	1,208	0	752	0	457	0	0
WIN 2034	1,208	0	752	0	457	0	0
SPR 2035	1,208	0	752	0	457	0	0
SUM 2035	1,208	0	752	0	457	0	0
WIN 2035	1,208	0	752	0	457	0	0
SPR 2036	1,208	0	752	0	457	0	0
SUM 2036	1,208	0	752	0	457	0	0
WIN 2036	1,208	0	752	0	457	0	0

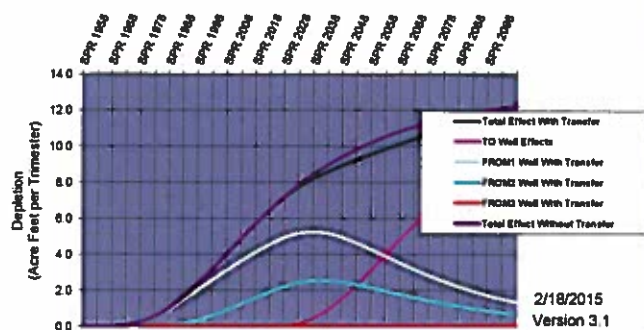
SPR 2037	1,208	0	752	0	457	0	0
SUM 2037	1,208	0	752	0	457	0	0
WIN 2037	1,208	0	752	0	457	0	0
SPR 2038	1,208	0	752	0	457	0	0
SUM 2038	1,208	0	752	0	457	0	0
WIN 2038	1,208	0	752	0	457	0	0
SPR 2039	1,208	0	752	0	457	0	0
SUM 2039	1,208	0	752	0	457	0	0
WIN 2039	1,208	0	752	0	457	0	0
SPR 2040	1,208	0	752	0	457	0	0
SUM 2040	1,208	0	752	0	457	0	0
WIN 2040	1,208	0	752	0	457	0	0
SPR 2041	1,208	0	752	0	457	0	0
SUM 2041	1,208	0	752	0	457	0	0
WIN 2041	1,208	0	752	0	457	0	0
SPR 2042	1,208	0	752	0	457	0	0
SUM 2042	1,208	0	752	0	457	0	0
WIN 2042	1,208	0	752	0	457	0	0
SPR 2043	1,208	0	752	0	457	0	0
SUM 2043	1,208	0	752	0	457	0	0
WIN 2043	1,208	0	752	0	457	0	0
SPR 2044	1,208	0	752	0	457	0	0
SUM 2044	1,208	0	752	0	457	0	0
WIN 2044	1,208	0	752	0	457	0	0
SPR 2045	1,208	0	752	0	457	0	0
SUM 2045	1,208	0	752	0	457	0	0
WIN 2045	1,208	0	752	0	457	0	0
SPR 2046	1,208	0	752	0	457	0	0
SUM 2046	1,208	0	752	0	457	0	0
WIN 2046	1,208	0	752	0	457	0	0
SPR 2047	1,208	0	752	0	457	0	0
SUM 2047	1,208	0	752	0	457	0	0
WIN 2047	1,208	0	752	0	457	0	0
SPR 2048	1,208	0	752	0	457	0	0
SUM 2048	1,208	0	752	0	457	0	0
WIN 2048	1,208	0	752	0	457	0	0
SPR 2049	1,208	0	752	0	457	0	0
SUM 2049	1,208	0	752	0	457	0	0
WIN 2049	1,208	0	752	0	457	0	0
SPR 2050	1,208	0	752	0	457	0	0
SUM 2050	1,208	0	752	0	457	0	0
WIN 2050	1,208	0	752	0	457	0	0
SPR 2051	1,208	0	752	0	457	0	0
SUM 2051	1,208	0	752	0	457	0	0
WIN 2051	1,208	0	752	0	457	0	0
SPR 2052	1,208	0	752	0	457	0	0
SUM 2052	1,208	0	752	0	457	0	0
WIN 2052	1,208	0	752	0	457	0	0
SPR 2053	1,208	0	752	0	457	0	0
SUM 2053	1,208	0	752	0	457	0	0
WIN 2053	1,208	0	752	0	457	0	0
SPR 2054	1,208	0	752	0	457	0	0
SUM 2054	1,208	0	752	0	457	0	0
WIN 2054	1,208	0	752	0	457	0	0
SPR 2055	1,208	0	752	0	457	0	0
SUM 2055	1,208	0	752	0	457	0	0
WIN 2055	1,208	0	752	0	457	0	0
SPR 2056	1,208	0	752	0	457	0	0
SUM 2056	1,208	0	752	0	457	0	0
WIN 2056	1,208	0	752	0	457	0	0
SPR 2057	1,208	0	752	0	457	0	0
SUM 2057	1,208	0	752	0	457	0	0
WIN 2057	1,208	0	752	0	457	0	0
SPR 2058	1,208	0	752	0	457	0	0
SUM 2058	1,208	0	752	0	457	0	0
WIN 2058	1,208	0	752	0	457	0	0
SPR 2059	1,208	0	752	0	457	0	0
SUM 2059	1,208	0	752	0	457	0	0

WIN 2059	1,208	0	752	0	457	0	0
SPR 2060	1,208	0	752	0	457	0	0
SUM 2060	1,208	0	752	0	457	0	0
WIN 2060	1,208	0	752	0	457	0	0
SPR 2061	1,208	0	752	0	457	0	0
SUM 2061	1,208	0	752	0	457	0	0
WIN 2061	1,208	0	752	0	457	0	0
SPR 2062	1,208	0	752	0	457	0	0
SUM 2062	1,208	0	752	0	457	0	0
WIN 2062	1,208	0	752	0	457	0	0
SPR 2063	1,208	0	752	0	457	0	0
SUM 2063	1,208	0	752	0	457	0	0
WIN 2063	1,208	0	752	0	457	0	0
SPR 2064	1,208	0	752	0	457	0	0
SUM 2064	1,208	0	752	0	457	0	0
WIN 2064	1,208	0	752	0	457	0	0
SPR 2065	1,208	0	752	0	457	0	0
SUM 2065	1,208	0	752	0	457	0	0
WIN 2065	1,208	0	752	0	457	0	0
SPR 2066	1,208	0	752	0	457	0	0
SUM 2066	1,208	0	752	0	457	0	0
WIN 2066	1,208	0	752	0	457	0	0
SPR 2067	1,208	0	752	0	457	0	0
SUM 2067	1,208	0	752	0	457	0	0
WIN 2067	1,208	0	752	0	457	0	0
SPR 2068	1,208	0	752	0	457	0	0
SUM 2068	1,208	0	752	0	457	0	0
WIN 2068	1,208	0	752	0	457	0	0
SPR 2069	1,208	0	752	0	457	0	0
SUM 2069	1,208	0	752	0	457	0	0
WIN 2069	1,208	0	752	0	457	0	0
SPR 2070	1,208	0	752	0	457	0	0
SUM 2070	1,208	0	752	0	457	0	0
WIN 2070	1,208	0	752	0	457	0	0
SPR 2071	1,208	0	752	0	457	0	0
SUM 2071	1,208	0	752	0	457	0	0
WIN 2071	1,208	0	752	0	457	0	0
SPR 2072	1,208	0	752	0	457	0	0
SUM 2072	1,208	0	752	0	457	0	0
WIN 2072	1,208	0	752	0	457	0	0
SPR 2073	1,208	0	752	0	457	0	0
SUM 2073	1,208	0	752	0	457	0	0
WIN 2073	1,208	0	752	0	457	0	0
SPR 2074	1,208	0	752	0	457	0	0
SUM 2074	1,208	0	752	0	457	0	0
WIN 2074	1,208	0	752	0	457	0	0
SPR 2075	1,208	0	752	0	457	0	0
SUM 2075	1,208	0	752	0	457	0	0
WIN 2075	1,208	0	752	0	457	0	0
SPR 2076	1,208	0	752	0	457	0	0
SUM 2076	1,208	0	752	0	457	0	0
WIN 2076	1,208	0	752	0	457	0	0
SPR 2077	1,208	0	752	0	457	0	0
SUM 2077	1,208	0	752	0	457	0	0
WIN 2077	1,208	0	752	0	457	0	0
SPR 2078	1,208	0	752	0	457	0	0
SUM 2078	1,208	0	752	0	457	0	0
WIN 2078	1,208	0	752	0	457	0	0
SPR 2079	1,208	0	752	0	457	0	0
SUM 2079	1,208	0	752	0	457	0	0
WIN 2079	1,208	0	752	0	457	0	0
SPR 2080	1,208	0	752	0	457	0	0
SUM 2080	1,208	0	752	0	457	0	0
WIN 2080	1,208	0	752	0	457	0	0
SPR 2081	1,208	0	752	0	457	0	0
SUM 2081	1,208	0	752	0	457	0	0
WIN 2081	1,208	0	752	0	457	0	0
SPR 2082	1,208	0	752	0	457	0	0

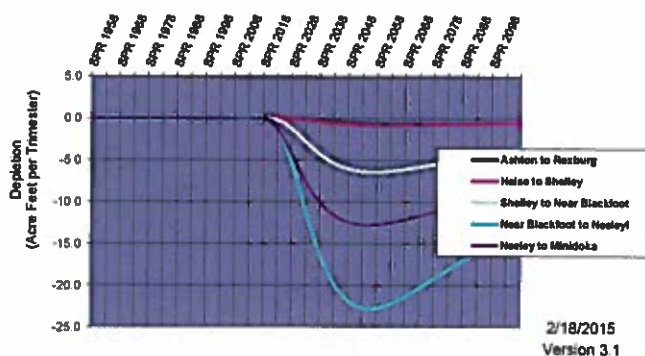
SUM 2082	1,208	0	752	0	457	0	0
WIN 2082	1,208	0	752	0	457	0	0
SPR 2083	1,208	0	752	0	457	0	0
SUM 2083	1,208	0	752	0	457	0	0
WIN 2083	1,208	0	752	0	457	0	0
SPR 2084	1,208	0	752	0	457	0	0
SUM 2084	1,208	0	752	0	457	0	0
WIN 2084	1,208	0	752	0	457	0	0
SPR 2085	1,208	0	752	0	457	0	0
SUM 2085	1,208	0	752	0	457	0	0
WIN 2085	1,208	0	752	0	457	0	0
SPR 2086	1,208	0	752	0	457	0	0
SUM 2086	1,208	0	752	0	457	0	0
WIN 2086	1,208	0	752	0	457	0	0
SPR 2087	1,208	0	752	0	457	0	0
SUM 2087	1,208	0	752	0	457	0	0
WIN 2087	1,208	0	752	0	457	0	0
SPR 2088	1,208	0	752	0	457	0	0
SUM 2088	1,208	0	752	0	457	0	0
WIN 2088	1,208	0	752	0	457	0	0
SPR 2089	1,208	0	752	0	457	0	0
SUM 2089	1,208	0	752	0	457	0	0
WIN 2089	1,208	0	752	0	457	0	0
SPR 2090	1,208	0	752	0	457	0	0
SUM 2090	1,208	0	752	0	457	0	0
WIN 2090	1,208	0	752	0	457	0	0
SPR 2091	1,208	0	752	0	457	0	0
SUM 2091	1,208	0	752	0	457	0	0
WIN 2091	1,208	0	752	0	457	0	0
SPR 2092	1,208	0	752	0	457	0	0
SUM 2092	1,208	0	752	0	457	0	0
WIN 2092	1,208	0	752	0	457	0	0
SPR 2093	1,208	0	752	0	457	0	0
SUM 2093	1,208	0	752	0	457	0	0
WIN 2093	1,208	0	752	0	457	0	0
SPR 2094	1,208	0	752	0	457	0	0
SUM 2094	1,208	0	752	0	457	0	0
WIN 2094	1,208	0	752	0	457	0	0
SPR 2095	1,208	0	752	0	457	0	0
SUM 2095	1,208	0	752	0	457	0	0
WIN 2095	1,208	0	752	0	457	0	0
SPR 2096	1,208	0	752	0	457	0	0
SUM 2096	1,208	0	752	0	457	0	0
WIN 2096	1,208	0	752	0	457	0	0
SPR 2097	1,208	0	752	0	457	0	0
SUM 2097	1,208	0	752	0	457	0	0
WIN 2097	1,208	0	752	0	457	0	0
SPR 2098	1,208	0	752	0	457	0	0
SUM 2098	1,208	0	752	0	457	0	0
WIN 2098	1,208	0	752	0	457	0	0
SPR 2099	1,208	0	752	0	457	0	0
SUM 2099	1,208	0	752	0	457	0	0
WIN 2099	1,208	0	752	0	457	0	0
SPR 2100	1,208	0	752	0	457	0	0
SUM 2100	1,208	0	752	0	457	0	0
WIN 2100	1,208	0	752	0	457	0	0
SPR 2101	1,208	0	752	0	457	0	0
SUM 2101	1,208	0	752	0	457	0	0
WIN 2101	1,208	0	752	0	457	0	0
SPR 2102	1,208	0	752	0	457	0	0
SUM 2102	1,208	0	752	0	457	0	0
WIN 2102	1,208	0	752	0	457	0	0
SPR 2103	1,208	0	752	0	457	0	0
SUM 2103	1,208	0	752	0	457	0	0
WIN 2103	1,208	0	752	0	457	0	0
SPR 2104	1,208	0	752	0	457	0	0
SUM 2104	1,208	0	752	0	457	0	0
WIN 2104	1,208	0	752	0	457	0	0

SPR 2105	1,208	0	752	0	457	0	0
SUM 2105	1,208	0	752	0	457	0	0
WIN 2105	1,208	0	752	0	457	0	0
SPR 2106	1,208	0	752	0	457	0	0
SUM 2106	1,208	0	752	0	457	0	0
WIN 2106	1,208	0	752	0	457	0	0
SPR 2107	1,208	0	752	0	457	0	0
SUM 2107	1,208	0	752	0	457	0	0
WIN 2107	1,208	0	752	0	457	0	0

Hydrologic Response--Ashton to Rexburg
Customer Name: Pickett LS Transfer No:



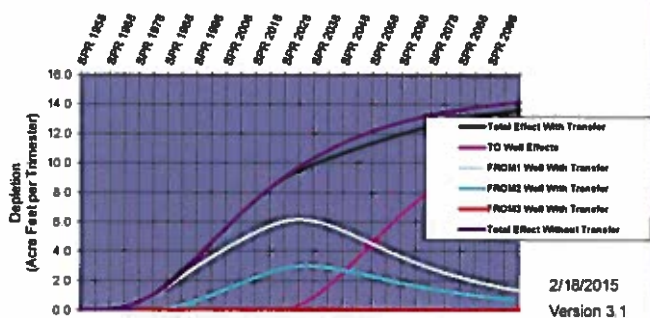
Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)



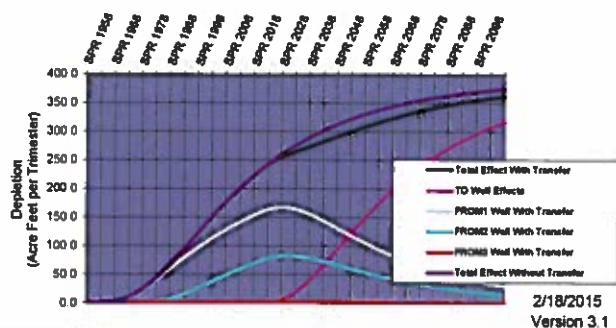
Customer Name: Pickett LS

Transfer No:

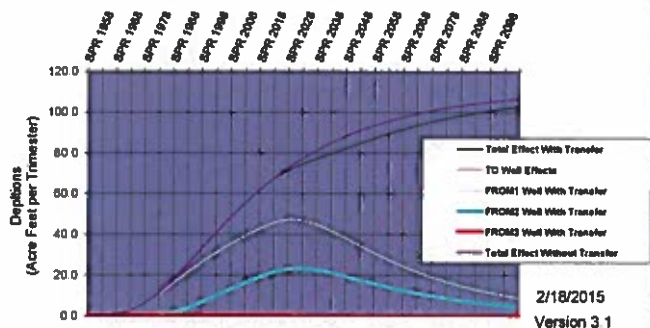
Hydrologic Response--Halse to Shelley
Customer Name: Pickett LS Transfer No:



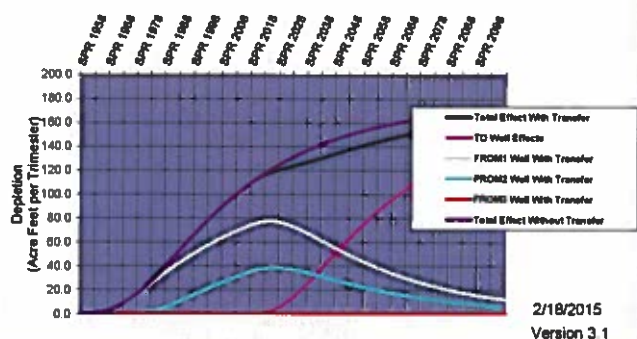
Hydrologic Response-- Near Blackfoot to Neeley
Customer Name: Pickett LS Transfer No:



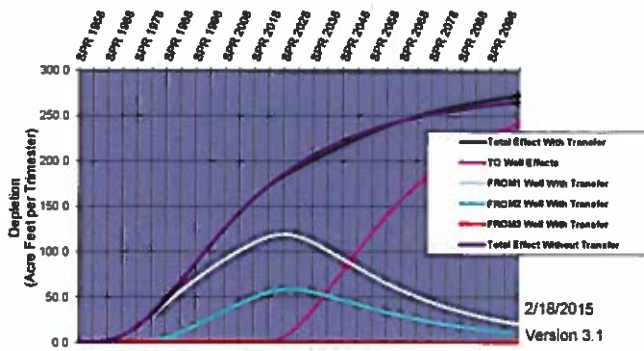
Hydrologic Response--Shelley to Near Blackfoot
Customer Name: Pickett LS Transfer No:



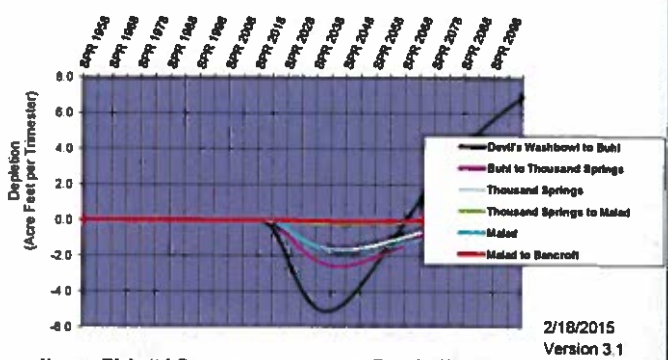
Hydrologic Response-- Neeley to Minidoka
Customer Name: Pickett LS Transfer No:



Hydrologic Response--Devil's Washbowl to Buhl
Customer Name: Pickett LS Transfer No:



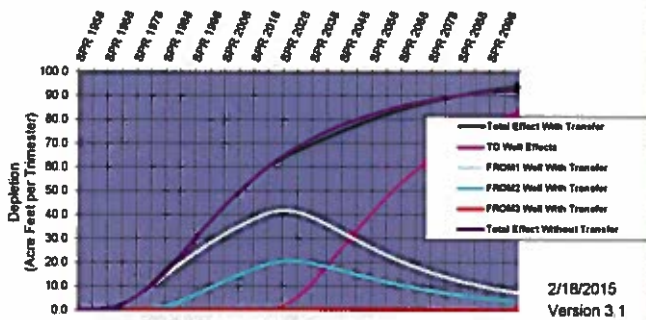
Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)



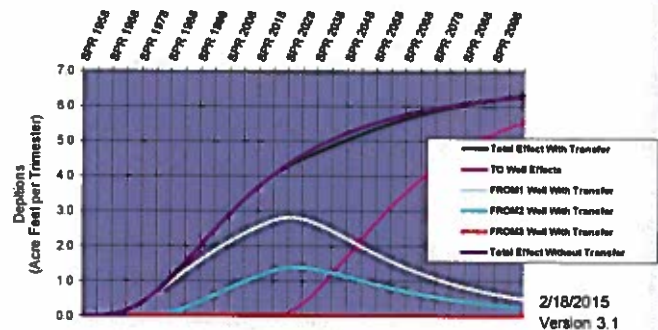
Customer Name: Pickett LS

Transfer No:

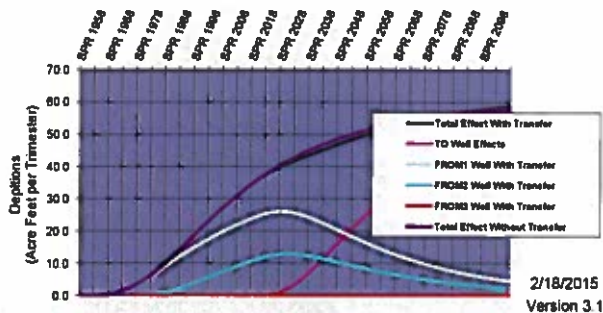
Hydrologic Response--Buhl to Thousand Springs
Customer Name: Pickett LS Transfer No:



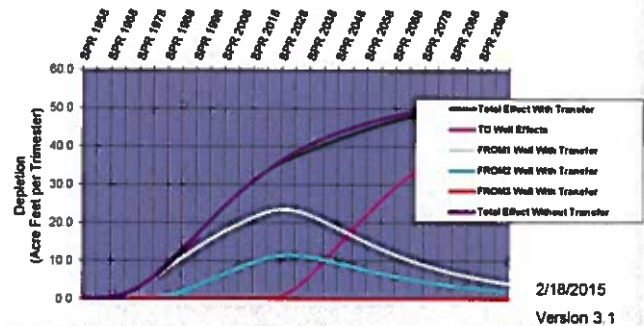
Hydrologic Response--Thousand Springs to Malad
Customer Name: Pickett LS Transfer No:



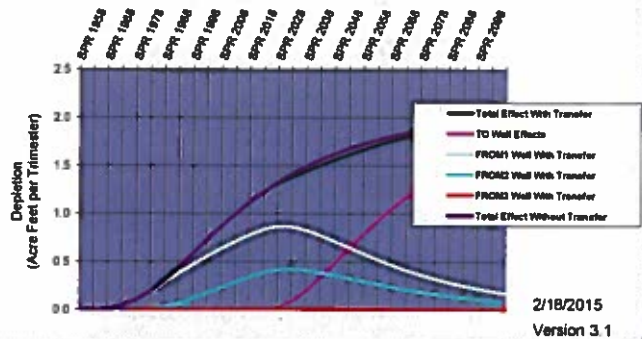
Hydrologic Response--Thousand Springs
Customer Name: Pickett LS Transfer No:



Hydrologic Response--Malad
Customer Name: Pickett LS Transfer No:



Hydrologic Response--Malad to Bancroft
Customer Name: Pickett LS Transfer No:



Enter First Time Step of Transfer: SPR 2013

Match: 172 Match: 456

Precipitating Effects @ SS (Last Time Step):										Total	
ASR	HSS	SRNB	NBNH	NIM	DWNB	BHTS	TS	TSM	M	MIS	
12.21	14.15	106.56	374.91	171.48	265.16	92.86	58.09	6.28	52.31	1.98	1,156.00
11.71	13.61	102.70	361.40	162.65	272.09	93.87	56.60	6.30	52.33	1.98	1,137.24
Precipitating Effects @ Transient State (Max Value Time Step):										Total	
12.21	14.15	106.56	374.91	171.48	265.16	92.86	58.09	6.28	52.31	1.98	1,156.00
11.71	13.61	102.70	361.40	162.65	272.09	93.87	56.60	6.30	52.33	1.98	1,137.24
Transient State - Max. Value of Dep. After Transfer:										Total	
12.21	14.15	106.56	374.91	171.48	265.16	92.86	58.09	6.28	52.31	1.98	1,156.00
11.71	13.61	102.70	361.40	162.65	272.09	93.87	56.60	6.30	52.33	1.98	1,137.24

Steady State Change: -0.50
 Transient State Change: -0.50

One-Way Analysis of Independent Transfers

Pickett LS

WR No.	Div Rate (CFS)	Con. Vol. (AFA)	No. of Irr Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
Multiple	4.24	1208.0	320	Multiple	12521E20	1208 402.7	SP086033
Multiple	4.24	1208	320	Multiple	12521E20	1208 402.7	SP086033
Transfer 1: Worst Case Transient State Impacts following Transfer							
Multiple	4.24	1208	320	Multiple	12521E20	1208 402.7	SP086033
Multiple	4.24	1208	320	Multiple	12521E20	1208 402.7	SP086033

Steady State Analysis

Mitigation Check 1 - > 10% of Historical:	-4.1%	-3.8%	-3.6%	-5.1%	2.6%	1.1%	0.9%	0.6%	0.0%	-0.1%
Mitigation Check 2 - > 2 AFT:	-0.5	-0.5	-3.9	-13.5	6.9	1.0	0.5	0.0	0.0	0.0
Mitigation Check 3 - > 10% of Total:	1.0%	1.2%	9.0%	31.8%	23.9%	8.3%	5.2%	0.6%	4.6%	0.2%
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	-0.5	-0.5	-3.9	-13.5	6.9	1.0	0.5	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - > 10% of Historical:	-4.1%	-3.8%	-3.6%	-5.1%	2.6%	1.1%	0.9%	0.6%	0.0%	-0.1%
Mitigation Check 2 - > 2 AFT:	-0.5	-0.5	-3.9	-13.5	6.9	1.0	0.5	0.0	0.0	0.0
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	-0.5	-0.5	-3.9	-13.5	6.9	1.0	0.5	0.0	0.0	0.0

Impact by Reach (AFT/Trimster)

Ashion to Resburg		Heise to Shelley		Shelley to Nr Bickn		Nr Bickn To Neesley		Neesley to Minidoka		Dev. Wtd. To Buht		Buht to Kspr		Kspr to Maled		Maled to Bancroft	
12.21	14.15	106.56	106.56	374.91	374.91	171.48	171.48	265.18	265.18	92.86	92.86	58.09	58.09	6.26	6.26	52.31	1.98
11.71	13.61	102.70	102.70	361.40	361.40	162.65	162.65	272.09	272.09	93.87	93.87	58.60	58.60	6.30	6.30	52.33	1.98
Pre-SS Post-SS																	
12.21	14.15	106.56	106.56	374.91	374.91	171.48	171.48	265.18	265.18	92.86	92.86	58.09	58.09	6.26	6.26	52.31	1.98
11.71	13.61	102.70	102.70	361.40	361.40	162.65	162.65	272.09	272.09	93.87	93.87	58.60	58.60	6.30	6.30	52.33	1.98
Pre-TS Post-TS																	

1156.0
1137.2
1156.0
1137.2

Read Me

RECIPROCAL LEASE AND EXCHANGE AGREEMENT

THIS RECIPROCAL LEASE AND EXCHANGE AGREEMENT (referred to as the "Agreement") is made and entered into as of FEB. 17, 2015, by and between **PKD PROPERTIES, L.C.**, an Idaho limited liability company and **T.L.D. Properties, LLC** an Idaho Limited Liability Company with their office headquarters located at 1404 East 500 North, Jackson, Idaho 83350 (referred to as "PKD-TLD") and **FED AGRIBUSINESS, LLC**, an Idaho limited liability company with office headquarters located at 568 West 1650 South, Oakley, Idaho 83346 (hereinafter "FED").

RECITALS:

This Agreement is made and entered into with reference to the following facts:

A. PKD-TLD is the present fee owner of real property consisting of 320 acres, more or less, located in the County of Cassia, State of Idaho, more particularly described as:

TOWNSHIP 12 SOUTH, RANGE 21 EAST, BOISE MERIDIAN

Section 7: S½

which real property is referred to in this Agreement as the "PKD-TLD Property," TOGETHER WITH all and singular the tenements, hereditaments, and all other appurtenances thereto belonging excepting water rights, SUBJECT, however, to existing easements and rights of way of record.

B. PKD-TLD desires to lease and thereafter make a qualified tax deferred exchange of the PKD-TLD Property for other property or properties of like kind pursuant to and in accordance with Section 1031 of the Internal Revenue Code, and the Treasury regulations promulgated thereunder.

C. FED is the present fee owner of real property consisting of 320 acres, more or less, located in the County of Cassia, State of Idaho, more particularly described as:

TOWNSHIP 12 SOUTH, RANGE 21 EAST, BOISE MERIDIAN

Section 19: NE¼

Section 20: NW¼

which real property is referred to in this Agreement as the "FED Property," TOGETHER WITH all and singular the tenements, hereditaments, and all other appurtenances thereto belonging excepting water rights, SUBJECT, however, to existing easements and rights of way of record.

D. FED desires to lease and thereafter make a qualified tax deferred exchange of the FED Property for other property or properties of like kind pursuant to and in accordance with Section 1031 of the Internal Revenue Code, and the Treasury regulations promulgated thereunder.

E. The parties mutually desire to utilize the services of Title One, , of 211 West 13th, Burley, Idaho 83318, to act as closing agent (the "Closing Agent") of this Agreement in the exchange of properties on the terms and conditions more fully set forth below.

AGREEMENT:

NOW THEREFORE, in consideration of the mutual covenants, conditions, and agreements set forth herein, PKD-TLD and FED, and each of them, hereby agree as follows:

1. **Recitals.** The above recitals are true and correct and incorporated herein by reference.

2. **Reciprocal Lease of Properties.** *The following terms and conditions in this Section 2 shall apply to the reciprocal lease of the PKD-TLD Property and the FED Property. PKD-TLD and FED may be referred to herein as the "Lessor" or the "Lessee", as the case may be.*

2.1 **Lease of PKD-TLD Property to FED.** PKD-TLD, for and in consideration of the provisions, covenants, conditions and agreements set forth herein, does hereby demise and let to FED, and FED does hereby lease from PKD-TLD, the PKD-TLD Property.

2.2 **Lease of FED Property to PKD-TLD.** FED, for and in consideration of the provisions, covenants, conditions and agreements set forth herein, does hereby demise and let to PKD-TLD, and PKD-TLD does hereby lease from FED, the FED Property.

2.3 **Term of Lease.** The term of this reciprocal lease of the PKD-TLD Property and the FED Property between the parties shall commence as of the execution of this Agreement and shall naturally terminate on the exchange of deeds to the respective properties (referred to as the "Closing") or November 30, 2015, whichever date occurs first.

2.4 **Rent.** Rent from FED to PKD-TLD shall be for the use and benefit of the FED Property for the term of the lease. Rent from PKD-TLD to FED shall be for the use and benefit of the PKD-TLD Property for the term of the lease. For accounting purposes only, the parties mutually agree that the fair market value of their respective parcels of ground, excluding water rights, is \$100.00 per acre, or \$32,000.00. There shall be no other rent due and payable from either party to the other.

2.5 Use and Maintenance of Improvements. Each party shall provide free, exclusive and unrestricted possession of the leased property to the other. That portion of irrigation systems including but not limited to irrigation lines, pipes, equipment, pumps and panels, which belong to the Lessor of each property will be provided by the Lessor and maintained by Lessee in good and functional condition.

2.6 Removal of Pivots. It is mutually agreed that each party, at its own cost and expense, shall remove the two pivots on its respective premises and relocate the same for use on the property that is hereby leased from the other party. At the termination of the respective leasehold interests, it is the mutual intent that each party will retain its own pivots on the property that it receives on exchange. In the event that the lease terminates and the exchange does not take place, the default provisions contained in Section 2.17 below shall apply.

2.7 Waste. Neither party will commit or allow others to commit any waste or damage on the property of the other, but will perform all acts and take all reasonable measures to conserve the property of the other.

2.8 Operating Expenses. Except as otherwise expressly provided in this Agreement, the Lessee agrees to pay, at Lessee's sole cost, all operating expenses directly arising from the farming operation to be conducted on the property by Lessee. For purposes of this Agreement, "operating expenses" shall refer to those expenses incurred in the course of ordinary activities of Lessee on the premises and shall expressly include but not be limited to all tractor work, fertilization, chemical application, seeding, irrigation and harvest expenses, utilities, and costs for repair and maintenance.

2.9 Failure of Exchange. In the event that an exchange of title does not occur as contemplated by the parties, each party agrees to promptly return the leased property to the other upon the termination of this Agreement in the same condition and repair as when this Agreement commenced, ordinary wear and tear and depreciation expected; provided, however, that each Lessee will have ninety (90) days from the date of expiration or termination of this Agreement to remove Lessee's property from the premises, including its pivots.

2.10 Relationship. The relationship between the parties is that of landlord and tenant and this Agreement shall not be deemed to create any partnership, joint venture or other business relation between the parties and any assignee of this Agreement. Accordingly, neither party shall have authority to obligate the other. Each party agrees that the other party shall in no way be responsible for the debts of, or liabilities for accidents or damages caused by the other party or its agents, officers, employees, assigns, or other representatives acting for such party.

2.11 Insurance and Indemnification. Each party, at its sole expense, shall possess and keep in force during the term of this Agreement comprehensive general liability insurance in the amount of no less than \$500,000.00, for personal injury and property damage issued by a responsible insurance company. Each party will be required to name the other as an additional insured on its policy, each party agrees to indemnify the other

against all injury to person or property that arises or may arise as a consequence of the activity of the Lessor or its agents, invitees or employees on the leased property.

2.12 Taxes. Each Lessor will pay all of the real property taxes levied and payable against its property during the lease term. Lessee will pay all taxes arising from Lessee's occupation of or operations on the leased property, including taxes on or attributable to any personal property of Lessee situate on the leased property. At closing, the respective tax burdens set forth in Section 8 below shall apply.

2.13 Improvements. Excepting the movements of pivots, major improvements may be made by Lessee only upon written approval of the Lessor, and if so approved, all materials will be supplied at Lessee's expense and Lessee will provide the necessary equipment and labor. Lessee will not be authorized to modify structures, fixtures or other installations without Lessor's written consent first had and obtained. In the event of failure of exchange of title, all such improvements shall at the termination of this Agreement belong to Lessor, its heirs and assigns, without claim by Lessee.

2.14 Farm Programs. Each party is entitled to enter its leased property into any farm program administered by the United States Department of Agriculture, and each party agrees to cooperate with the other in the execution of any documents which entitle the other party to sole and exclusive use and benefit of such program(s).

2.15 Compliance with Laws. Each party agrees to comply with all laws, ordinances, rules and regulations which apply to such party's occupation and control of the leased property and the operations of that party conducted thereon.

2.16 Risk of Loss. Each Lessee shall assume all the risk of loss or damage to Lessee's crop(s) and personal property from and after the date Lessee enters into this Agreement. Lessor will keep and assume the risk for Lessor's loss or damage to its property caused by reasons beyond the control of Lessee, including all structures, fixtures and improvements thereon (pivots excepted), during the term of this Agreement.

2.17 Default. In the event either party shall at any time be in default in the performance of any of the covenants, terms, conditions or provisions of this Agreement and such party shall fail to remedy such default within thirty (30) days after written notice thereof from the other party, or otherwise commence substantial measures to cure the same within such time period, the non-defaulting party may terminate this Agreement. The parties retain all of their respective rights and remedies at law and in equity, which shall be cumulative in nature, arising from the default in performance by the other party. The defaulting party shall also bear the cost and expense of transferring each party's pivots to their original locations.

The parties each agree that should either of them default in the performance of this Agreement, or any of the covenants or conditions herein contained, that the defaulting party shall pay all costs and expenses, including a reasonable attorney's fee, which may arise or accrue from enforcing this Agreement, or in pursuit of any remedies allowable by law.

The following terms and conditions in the following Section 3 through Section 5 shall apply to the reciprocal exchange of the PKD-TLD Property and the FED Property:

3. Reciprocal Exchange of Properties.

3.1 PKD-TLD agrees to convey the above-described PKD-TLD Property to FED, and FED agrees to convey the above-described FED Property to PKD-TLD (which properties are collectively referred to below as the "Exchange Properties") all in consideration of, and in exchange for, the full right, title and interest of the other.

3.2 Closing Agent shall convey the Exchange Properties pursuant to the terms and conditions of this Agreement. In order to facilitate the transfer of the Exchange Properties, Closing Agent shall be deemed to have satisfied its obligations once the said exchange has been properly closed and the respective Exchange Properties have been properly recorded in the Recorder's Office of Cassia County, Idaho.

3.3. The Closing Agent shall not bear any responsibility whatsoever regarding the Lease or the PKD-TLD or FED Leased Property that accompanies this Agreement.

4. Conveyance of Title.

4.1 Title to the FED Property shall be conveyed by a standard form Warranty Deed, and title to the PKD-TLD Property shall also be conveyed by a standard form Warranty Deed. Title to the Exchange Properties shall be marketable and insurable and shall be free and clear of all liens, encumbrances, and restrictions, exclusive of (i) real property taxes for the current year which are not due and payable on or before Closing, and (ii) liens, encumbrances, and conditions accepted in writing by the acquiring party on or before Closing.

4.2 **Other Property.** No other property, real or personal, shall be associated with the Exchange Properties in this Agreement. It is expressly understood and agreed that no water rights shall be conveyed under this Agreement. It is further understood and agreed that each party shall retain full right, title and interest in the movable portions of their respective pivot irrigation systems. Water rights shall be expressly on the respective Warranty Deed executed by the parties to the other party.

5. Title Insurance.

5.1 Prior to closing, PKD-TLD shall deliver to FED a preliminary report or commitment for the issuance of a title insurance policy insuring title to the property described in this Agreement naming FED and its lender, METROPOLITAN LIFE INSURANCE COMPANY, as the insured in the amount of \$960,000.00 (recognizing no transfer of water rights) showing that title is vested in and showing title is merchantable in PKD, free and clear from all liens, encumbrances and exceptions, except the standard exceptions contained in the title

company's standard form policy, and taxes and assessments for the current year, and existing easements and rights of way of record.

5.2 Prior to closing, FED shall deliver to PKD-TLD a preliminary report or commitment for the issuance of a title insurance policy insuring title to the property described in this Agreement naming PKD-TLD and as the insured in the amount of \$960,000.00 showing that title is vested in and showing title is merchantable in FED, free and clear from all liens, encumbrances and exceptions, except the standard exceptions contained in the title company's standard form policy, and taxes and assessments for the current year, and existing easements and rights of way of record.

5.3 If any exceptions shown on the respective preliminary reports or commitments for title insurance are not approved in writing by the acquiring party prior to Closing and cannot be removed by the transferring party by Closing, then the party otherwise receiving a faulty title shall have the right to terminate this Agreement, in which event this Agreement shall be deemed mutually rescinded and cancelled, provided that, the Lease shall remain in full force and effect as though this Agreement had never been entered into.

5.4 At Closing, the transferring parties shall purchase and deliver to the acquiring parties an ALTA Owner's Policy title insurance policy (current revision) ("Policy") subject only to the following special exceptions:

5.4.1 Real property taxes for the current year which are not due and payable on or before Closing, and

5.4.2 Liens, encumbrances, and conditions accepted in writing by the Buyer on or before Closing.

The following provisions set forth in Sections 6 through 23 shall apply to both the reciprocal lease and the reciprocal exchange of the PKD-TLD Exchanges Property and the FED Property:

6. **Possession.** It is the intent of the parties that possession shall continue uninterrupted from the termination of the Lease through Closing.

7. **Risk of Loss.** The provisions of Section 2.16 above shall apply to risk of loss up to and including the time of Closing.

8. **Taxes and Assessments.** Taxes and assessments shall be prorated as of Closing.

9. **Assumption of Obligations.** Each party acknowledges to the other that the acquiring party will not assume or take any property subject to any debts, obligations, or liabilities except as may be agreed to by the acquiring party in this Agreement or otherwise in writing on or before Closing. Any and all debts, obligations and liabilities, contingent or otherwise, which are not expressly assumed or taken subject to in writing by the acquiring party

on or before Closing are not assumed or taken subject to by the acquiring party, shall not be deemed included in the Closing, and are retained by the transferring party.

10. Time for Acceptance. This Agreement shall be null and void and of no force or effect unless a fully executed original of this Agreement is executed by the parties by February 19th 2015 and is delivered to and received by the Closing Agent on or before November 30, 2015.

11. Representations and Warranties of PKD-TLD. PKD-TLD represents and warrants to, and covenants with FED that:

11.1. The execution, delivery, and consummation of this Agreement by PKD-TLD has been duly approved in accordance with applicable law and any documents or instruments governing PKD-TLD. The execution, delivery, and consummation of this Agreement by PKD-TLD will not, with the passage of time, the giving of notice, or otherwise, cause PKD-TLD to be in violation or breach of any law, regulation, contract, agreement, or other restriction to or by which PKD-TLD or the Property is subject or bound;

11.2. Except as disclosed in writing to FED and PKD-TLD prior to the Closing, no approval or consent of any person, firm, or other entity is required to be obtained by PKD-TLD or FED to permit PKD-TLD and FED to consummate the transactions contemplated by this Agreement except the current lien holder of each party. Each party shall use good faith effort to get the respective properties released from existing liens. The failure to be able to do this through no fault of the parties shall be deemed a default by that party or parties.

11.3 There are no unassessed tax deficiencies existing, proposed, or threatened against PKD-TLD as a result of the operation of its business. There are no outstanding agreements or waivers extending the statutory period of limitation applicable to any tax return of PKD-TLD. No examination or audit of any tax return of PKD-TLD is proposed, threatened, or currently in progress;

11.4 Except as otherwise acknowledged and agreed to in writing by FED, PKD-TLD owns and possesses all right, title, and interest in and to the PKD-TLD Property free and clear of all covenants, conditions, easements, liens, and encumbrances except current mortgage which is in process of attempting to get a release

11.5 There is no equitable, legal, or administrative suit, action, arbitration, or other proceedings pending or threatened against or affecting PKD-TLD or the PKD-TLD Property;

11.6 There are no existing contracts, lease agreements, or licenses regarding the use of the PKD-TLD Property, or constituting a lien or encumbrance on the PKD-TLD Property except as may be shown on the title report or commitment or otherwise referenced in this Agreement or accepted in writing by FED;

11.7 The PKD-TLD Property is not contaminated with any hazardous substance, and further that such property and the uses conducted on thereon are in compliance with all applicable environmental laws, codes, and regulations to the knowledge of PKD-TLD.

12. Representations and Warranties of FED. FED represents and warrants to, and covenants with PKD-TLD that:

12.1. The execution, delivery, and consummation of this Agreement by FED has been duly approved in accordance with applicable law and any documents or instruments governing FED. The execution, delivery, and consummation of this Agreement by FED will not, with the passage of time, the giving of notice, or otherwise, cause FED to be in violation or breach of any law, regulation, contract, agreement, or other restriction to or by which FED or the Property is subject or bound;

covered above

12.2 There are no unassessed tax deficiencies existing, proposed, or threatened against FED as a result of the operation of its business. There are no outstanding agreements or waivers extending the statutory period of limitation applicable to any tax return of FED. No examination or audit of any tax return of FED is proposed, threatened, or currently in progress;

12.3. Except as otherwise acknowledged and agreed to in writing by PKD-TLD, FED owns and possesses all right, title, and interest in and to the FED Property free and clear of all covenants, conditions, easements, liens, and encumbrances except current mortgage that is in process of attempting to be released

12.4 There is no equitable, legal, or administrative suit, action, arbitration, or other proceedings pending or threatened against or affecting FED or the FED Property;

12.5 There are no existing contracts, lease agreements, or licenses regarding the use of the FED Property, or constituting a lien or encumbrance on the FED Property except as may be shown on the title report or commitment or otherwise referenced in this Agreement or accepted in writing by PKD-TLD

12.6 The FED Property is not contaminated with any hazardous substance, and further that such property and the uses conducted on thereon are in compliance with all applicable environmental laws, codes, and regulation to best of its knowledge

13. Execution of Documents. All the parties agree to execute any and all additional documents and instruments necessary for either party, or otherwise requested by the Closing Agent, to carry out the terms of this Agreement.

14. Conflict with Prior Agreements. In and to the extent that this Agreement is in conflict with any prior written agreement or understanding between the parties hereto, the terms of this Agreement shall prevail. No modification or waiver of the terms of this Agreement shall be valid unless made in a writing signed by both parties.

15. Survival. The terms of this Agreement shall survive the Closing and the delivery of the respective deeds to the Exchange Properties.

16. Time. Time is of the essence of this Agreement.

17. Binding. This Agreement shall inure to the benefit of, and shall be binding upon, the parties hereto, their estates, heirs, representatives, and assigns.

18. Notices. Any notice to be given hereunder shall be given by personal delivery or by depositing such notice in the United States Mail first class postage prepaid, and

addressed to the respective parties at their designated addresses first set forth above in this Agreement.

19. Attorneys Fees. Should suit be brought to enforce or interpret any part of this Agreement, the prevailing party shall be entitled to recover as an element of its costs and not as damages, reasonable attorneys fees to be fixed by the court.

20. Indemnification. The parties individually and collectively shall and do hereby agree to hold the Closing Agent harmless and to indemnify the Closing Agent from any claim, expense, tax, assessment of any nature or kind or from any other claim whatsoever, expressed or implied, whether sounding in tort or in contract that may be asserted against the Closing Agent now or in the future by any person, firm, corporation, governmental agency or taxing authority that may arise out of any activity related to carrying out the terms of this Agreement.

21. Governing Law. This Agreement shall be interpreted under and governed by the laws of the State of Idaho.

22. Closing Costs/Fees. Unless otherwise provided in this Agreement, the parties agree to share equally in all closing costs and fees associated with the Closing of this Agreement; provided that, any costs or fees that are associated with a lender of either party shall be paid by such party.

23. Independent Counsel. Each party represents that it has been advised to obtain the advice and review of this Agreement and the entire transaction by an independent legal counsel and accountant regarding the legal and tax implications of the contemplated transaction, and all related documents and agreements, particularly those drafted, presented or produced by any attorney for the other party to this Agreement or by the Closing Agent.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

PKD: PKD PROPERTIES, L.C.

DATE: 2-18-15

By:



Paul H. Duncan, Manager



Kathy Fisher Duncan, Manager

T.L.D POPERTIES, LLC

DATE: 2-17-15

Taylor Duncan
TAYLOR DUNCAN MANAGER

FED: FED AGRIBUSINESS, LLC

DATE: 17 FEB 2015

By: Don F. Pickett
Don F. Pickett, Member

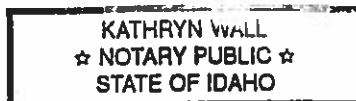
By: David J. Pickett
David J. Pickett, Member

By: Douglas T. Pickett
Douglas T. Pickett, Member

STATE OF IDAHO)
 : ss.
County of Cassia)

On this 18th day of February, 2015, before me a Notary Public in and for the State of Idaho, personally appeared PAUL H. DUNCAN and KATHY FISHER DUNCAN, known or identified to be the Member/Managers of PKD PROPERTIES, L.C., an Idaho limited liability company, who subscribed said company's name to the foregoing instrument, and acknowledged to me that they executed the same in said company's name.

[SEAL]

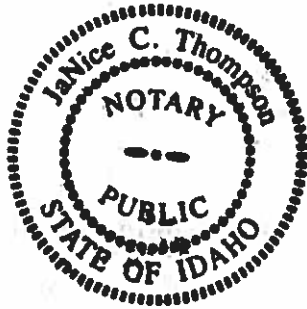


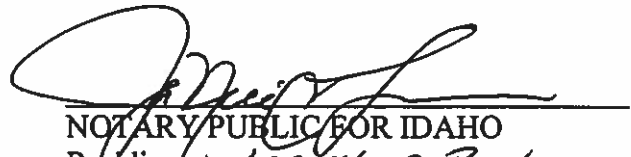
Kathryn Wall
NOTARY PUBLIC FOR IDAHO
Residing at: Jackson ID
Commission Exp 4/2/2020

STATE OF IDAHO)
 : ss.
County of Cassia)

On this 17th day of February, 2015, before me a Notary Public in and for the State of Idaho, personally appeared DON F. PICKETT, DAVID J. PICKETT and DOUGLAS T. PICKETT, known or identified to be the Members of FED AGRIBUSINESS, LLC, an Idaho limited liability company, who subscribed said company's name to the foregoing instrument, and acknowledged to me that they executed the same in said company's name.

[SEAL]




NOTARY PUBLIC FOR IDAHO

Residing at: 629 E 400 S Burley ID 83318

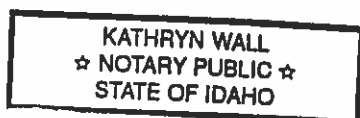
Commission EXP. 9/12/18

Need Notary for Taylor Duncan as Manager

STATE OF IDAHO)

County of Cassia)

On this 18th day of February, 2015, before me a Notary Public in and for the State of Idaho, personally appeared TAYLOR DUNCAN, known to or identified to be the Member/Manager of T.L.D. Properties, LLC an Idaho Limited liability company, who subscribed said company's name to the foregoing instrument, and acknowledged to me that he executed the same.



Kathryn Wall
NOTARY PUBLIC FOR IDAHO
Residing at: Jackson ID
Commission 4/2/2020



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

June 11, 2015

FED AGRIBUSINESS LLC
TUGAW RANCHES LLC
568 W 1650 S
OAKLEY, ID 83346

RE: Transfer No. 80092

Water Right No(s). 45-10158, 45-10164, 45-12757, 45-2057, 45-2283, 45-2321,
45-2322, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2575, 45-2589, 45-2596,
45-2626, 45-2715, 45-4212, 45-4239, 45-7156, 45-7201, 45-7456

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 **6/18/2015** and **6/25/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**July 6, 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.

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

Sincerely,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 11, 2015 9:24 AM
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 June 18th & 25th, 2015. 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

June 11, 2015

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

RE: Application For Permit No.(s): 1-10631, 37-22920, 37-22926, 45-14470, 47-17637

RE: Transfer No. 80092

Water Right No(s): 45-10158, 45-10164, 45-12757, 45-2057, 45-2283, 45-2321, 45-2322, 45-2338,
45-2374, 45-2380, 45-2381, 45-2384, 45-2575, 45-2589, 45-2596, 45-2626, 45-2715, 45-4212,
45-4239, 45-7156, 45-7201, 45-7456,

RE: Transfer No. 80116

Water Right No(s): 45-7182

RE: Transfer No. 80137

Water Right No(s): 43-13741

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 July 6, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

1-10631

FAULKNER BROTHERS HYDRO INC

1997 S 1875 E

GOODING, ID 83330

Point of Diversion L5(SWNW) S28 T10S R21E JEROME County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: POWER

04/01 to 10/31 50 CFS

Total Diversion: 50 CFS

Date Filed: 1/12/2015

Place Of Use: POWER

T05S R12E S34 NWNW

Application authorizes existing hydroelectric generating capacity and does not propose increase or modification of existing system of diversion, conveyance or use under terms of present agreements. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune.

37-22920

FAULKNER BROTHERS HYDRO INC

1997 S 1875 E

GOODING, ID 83330

Point of Diversion SESW S22 T05S R14E GOODING County Source BIG WOOD RIVER Tributary MALAD RIVER

Point of Diversion SWNE S6 T06S R15E GOODING County Source LITTLE WOOD RIVER Tributary MALAD RIVER

Point of Diversion L5(SWNW) S28 T10S R21E JEROME County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: POWER 04/01 to 10/31 50 CFS

Use: POWER 11/01 to 03/31 35 CFS

Total Diversion: 50 CFS

Date Filed: 1/12/2015

Place Of Use: POWER

T05S R12E S34 NWNW

Application authorizes existing hydroelectric generating capacity and does not propose increase or modification of existing system of diversion, conveyance or use under terms of present agreements. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune.

37-22926

BLACK CANYON BLISS LLC

615 E 300 N

RUPERT, ID 83350

Point of Diversion L7(SENE) S18 T06S R13E GOODING County Source UNNAMED STREAM Tributary SNAKE RIVER

Use: POWER 01/01 to 12/31 5 CFS

Total Diversion: 5 CFS

Date Filed: 3/5/2015

Place Of Use: POWER

T06S R13E S18 L7(NENE) L7(NWNE)

Application is for an existing small power generating facility.

45-14470

ALBION HERITAGE GROUP LLC

214 WATER TOWER CIR

ALBION, ID 83311

Point of Diversion SWNWE S12 T12S R24E CASSIA County Source MARSH CREEK Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE 11/01 to 03/31 2 CFS

Use: GROUND WATER RECHARGE FROM STORAGE 01/01 to 12/31 200 AF

Use: GROUND WATER RECHARGE STORAGE 01/01 to 12/31 200 AF

Total Diversion: 2 CFS

Date Filed: 5/18/2015

Place Of Use: GROUND WATER RECHARGE STORAGE, GROUND WATER RECHARGE FROM STORAGE

T12S R25E S6 L4(NWNW)

Application filed to divert up to 2.0 cfs of water from Marsh Creek from 11/1 to 3/31 at a point located approximately 1.0 mile south and 0.8 mile west of Albion for Groundwater Recharge Storage and Groundwater Recharge from Storage Uses associated with two ponds to be excavated near the northwest edge of Albion.

47-17637

JEFF HINES

1926 TEAL LN

BOISE, ID 83706

Point of Diversion SWNWSE S30 T08S R14E TWIN FALLS County Source SALMON FALLS CREEK Tributary SNAKE RIVER

Use: DOMESTIC

01/01 to 12/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 6/4/2015

Place Of Use: DOMESTIC

T08S R14E S30 NWSE

Application for permit proposes the diversion of 0.12 cfs from Salmon Falls Creek for domestic use to allow for domestic irrigation on three separate parcels to augment current domestic water right 45-7520 which provides each parcel domestic in-house use only. Point of Diversion and place of use are located approximately 2 miles east and 7.8 miles south of the city center of Hagerman.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80092

FED AGRIBUSINESS LLC and TUGAW RANCHES LLC, 568 W 1650 S, OAKLEY, ID 83346; has filed Application No. 80092 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 45-10158, 45-10164, 45-12757, 45-2057, 45-2283, 45-2321, 45-2322, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2575, 45-2589, 45-2596, 45-2626, 45-2715, 45-4212, 45-4239, 45-7156, 45-7201, 45-7456. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the authorized point of diversion locations for three ground water irrigation rights that authorize the total diversion of 4.24 cfs from two wells on a farm located approximately 8.5 to 9.0 miles north and 7.0 to 8.0 miles west of Oakley. The transfer will identify three existing wells on a nearby farm located approximately 9.0 to 10.0 miles north and 8.85 to 9.3 miles west of Oakley as authorized points of diversion for the three ground water irrigation rights. The transfer will also change the place of use of 22 rights by creating a 3,101 acre permissible place of use consisting of lands owned by Fed Agribusiness LLC and Tugaw Ranches LLC. In total, the 22 rights will divert up to 44.58 cfs from groundwater, Mountain Meadow Creek, Robber Gulch Creek, and Buckhorn Creek sources for irrigation of up to 3,101 acres.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80116

PKD PROPERTIES LC and TLD PROPERTIES LLC, 1404 E 500 N, JACKSON, ID 83350; has filed Application No. 80116 for changes to the following water rights within CASSIA County(s): Right No(s). 45-7182. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a 317 acre portion of the place of use of a groundwater irrigation right from a farm located approximately 10.0 to 10.5 miles north and 7.5 to 8.5 miles west of Oakley to a farm located approximately 8.5 to 9.0 miles north and 7.0 to 8.0 miles west of Oakley. The application proposes to continue to use an existing well located approximately 8.0 miles north and 8.0 miles west of Oakley and to add another existing well located approximately 8.75 miles north and 7.5 miles west of Oakley to divert up to 6.4 cfs for irrigation use.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80137

EVARD LLC, 872 E PEBBLE DR, BURLEY, ID 83318; has filed Application No. 80137 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13741. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a new well to be drilled as an authorized point of diversion for an irrigation groundwater right appurtenant to a farm located approximately 17.75 to 19.5 miles north and 7.9 to 9.9 miles east of Malta. Three existing irrigation wells and the new well to be drilled (all located on the farm) will be utilized to divert up to 17.02 cfs for the irrigation of 1437.0 acres on the farm. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 July 6, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on June 18th & 25th, 2015

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 11, 2015 3:28 PM
To: 'Brian Higgs'
Subject: Comment Letters for transfers 80092 & 80116
Attachments: Comment Letter to WM140 for 80092 & 80116.docx; 80116.pdf; 80092.pdf

Hi Brian,

Attached is a cover letter, recommendation forms and copy of applications for transfer 80092 & 80116. Please review the information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions.

Thank you in advance,

Denise Maline
Idaho Dept of Water Resources
Administrative Assistant, 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

June 11, 2015

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

Via e-mail

RE: Transfer No. 80092

Water Right No(s). 45-10158, 45-10164, 45-12757, 45-2057, 45-2283, 45-2321,
45-2322, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2575, 45-2589, 45-2596,
45-2626, 45-2715, 45-4212, 45-4239, 45-7156, 45-7201, 45-7456

RE: Transfer No. 80116

Water Right No(s). 45-7182

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

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

June 11, 2015

NATHAN ERICKSON
WATER DISTRICT #45-O
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Hand delivery

RE: Transfer No. 80092

Water Right No(s). 45-10158, 45-10164, 45-12757, 45-2057, 45-2283, 45-2321,
45-2322, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2575, 45-2589, 45-2596,
45-2626, 45-2715, 45-4212, 45-4239, 45-7156, 45-7201, 45-7456

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: June 10, 2015
To: Transfer 80092 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the authorized point of diversion locations for three ground water irrigation rights, 45-2715, 45-7156, and 45-7456, that authorize the total diversion of 4.24 cfs from two wells on a farm located approximately 8.5 – 9.0 miles north and 7.0 – 8.0 miles west of Oakley. The transfer will identify three existing wells on a nearby farm located approximately 9.0 – 10.0 miles north and 8.85 - 9.3 miles west of Oakley as authorized points of diversion for the three ground water irrigation rights. The current and proposed points of diversion are located within the ESPA model grid boundary. A groundwater model analysis was performed and included with the transfer representing the worst case scenario. Note that the one of the three proposed new points of diversion is located in an adjacent model cell to the two currently authorized points of diversion. The proposed change was modeled with all of the water going to the furthest (non adjacent) model cell, where two of the three proposed points of diversion are located. According to the model analysis, this transfer results in depletions to hydraulically connected reaches of the Snake River small enough to not require mitigation.

The transfer will also change the place of use of 22 rights (including 45-2715, 45-7156, and 45-7456) by creating a 3,101.0 acre permissible place of use consisting of lands owned by Fed Agribusiness LLC and Tugaw Ranches LLC. Fed Agribusiness currently has 16 groundwater rights that allow for the total diversion of 30.68 cfs for the irrigation of 2,330.0 acres as described in recently approved transfer # 79382 (approved October 20, 2014). Tugaw Ranches LLC has three ground water rights (45-2057, 45-2321, and 45-4212), two rights (45-2057 and 45-2321) that allow for the diversion of water from Robber Gulch Creek and Buckhorn Creek, and one right (45-4212) that allows for the diversion of water from Mountain Meadow Creek. These six Tugaw Ranches LLC rights allow for the total diversion of 13.9 cfs for the irrigation of 771.0 total acres. In total, the 22 rights will divert up to 44.58 cfs for irrigation of up to 3,101.0 acres (note that the Fed Agribusiness LLC and Tugaw Ranches LLC systems/rights are additive when combined). The proposed 3,101.0 acre permissible place of use will also describe moving water rights off of the farm located approximately 8.5 – 9.0 miles north and 7.0 – 8.0 miles west of Oakley to a farm located within the south ½ of Section 7 (T12S, R21E). Note that this is being done to facilitate a proposed land swap with PKD Properties LC and TLD Properties LLC (see companion transfer # 80116). The application will also record the actual stockwater place of use for right 45-4212 and identify a domestic place of use for right 45-2715. The transfer moves water within Water District 140 and involves some groundwater rights within the Golden Valley (450) Water District so water master comments will be solicited.

- **Authority to File:**

The application is filed in the name of Fed Agribusiness LLC and Tugaw Ranches LLC. David Pickett signed the application on behalf of both entities. Information from the IDSOS website indicates that David Pickett can sign on behalf of both entities. Ownership changes will not occur as a result of the transfer with the currently recorded owners of all the rights retaining ownership of their individual rights. Various agreements signed by representatives of Fed Agribusiness LLC, Tugaw Ranches LLC, PKD Properties LC, and TLD Properties LLC have been included with the application allowing for the use of rights on lands not owned by the various right holders and acknowledging that the rights will continue to be owned by the currently recorded right owners. A letter of authorization from Met Life, who has a security interest in the rights, has also been included with the application.

- **Water Right Validity:**

The rights involved with the transfer were decreed in the SRBA and examination of recent aerial photography indicates that the current place of use appears irrigated. Sixteen of the rights involved with the transfer were subject to recently approved transfer # 79382 (approved October 20, 2014)

- **Injury to Other Water Rights:**

None anticipated. A groundwater model analysis was performed to analyze the proposed change in points of diversion. According to the model analysis, this transfer results in depletions to hydraulically connected reaches of the Snake River small enough to not require mitigation.

- **Enlargement of Use:**

None anticipated.

- **Local Public Interest:**

No issues anticipated. The application will be subject to public notice and protest.

- **Beneficial Use/Conservation of Water Resources:**

Proposed uses are recognized as beneficial uses of water.

- **Effect on Economy of the Local Area:**

None anticipated.

- **Effect of the Agricultural Base of the Local 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.

MEMORANDUM

TO: Transfer # 80092File

FROM: Corey Skinner

DATE: June 8, 2015

SUBJECT: Filing Fee

The filing fee, \$3020.00, for this transfer is based on the total amount of water being transferred, 44.58 cfs. The transfer fee schedule for a transfer involving 44.58 cfs indicates that the filing fee is \$3020.00.