

RECEIVED

DEC 10 2014

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

79719

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Mathers Ranches Inc.Check whether each item below is *attached (Yes)* or *not applicable (N/A)* for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Mathers Ranches Inc. Phone _____Mailing address 3485 East 3100 North Kimberly 83341 Email _____

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

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

☐ No RepresentativeName of Representative Greg Sullivan Brockway Engineering, PLLC Phone 208-736-8543Mailing address 2016 North Washington St. Suite 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

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

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

Mathers Ranch, Inc.Lottie L. Mathers
Signature of Applicant or Authorized RepresentativeLOTTIE L. MATHERS, SEC./TREAS.
Print Name and Title if applicable11-21-14
Date_____
Signature of Applicant or Authorized Representative_____
Print Name and Title if applicable_____
Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

Transfer 21.3 acre feet annual of irrigation water to a dairy facility for stock and commercial water use. Existing wells are on the dairy facility and will be utilized in pumping the 21.3 afa to be transferred.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	47-17555	0.13/10.3	Stock/Commercial	1/01 to 12/31	Ground Water
☐ ☒	47-17560	0.06/9.4	Stock/Commercial	1/01 to 12/31	Ground Water
☐ ☒	47-17565	0.01/1.6	Stock/Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.23 cfs and/or 707.2 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.13 cubic feet per second and/or 21.3 acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NW	SW	26	10S	14E	Twin Falls	Ground Water	
			NW	SW	26	10S	14E	Twin Falls	Ground Water	

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	14E	26										S,C							
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing wells and diversion system.

- b. Who owns the property at the point(s) of diversion? Donald and Dianna Gaalswyk

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: None

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:
The land currently covered by the 7.0 will be dried up and no longer irrigated.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
47-7663F and 47-14200

- 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:

Page 6 of _____

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

Current Water Right No.: 47-17555

Current Owner: MATHERS RANCH INC
Priority Date: 11/6/1961
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.23 CFS	704.4 AF
	<u>Total Diversion</u>	3.23 CFS	704.4 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 31,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4NW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4SW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	NENE	0.50	T11S R18E S31	SWNE	8.50
T11S R18E S31	SENE	27.20	T11S R18E S31	SESW	2.60
T11S R18E S31	NESE	40.00	T11S R18E S31	NWSE	26.00
T11S R18E S31	SWSE	38.00	T11S R18E S31	SESE	34.00

Total Acres: 176.8

Page 1 of _____

Conditions of Approval:

1. k06 Right 47-17555 is limited to the irrigation of 176.1 acres within the place of use described above in a single irrigation season.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. E52 The rights listed below are limited to a total combined diversion rate 3.23 cfs. Combined Right Nos.: 47-17555, 47-17560, 47-17565
4. S20 Use of this right is combined with water from Twin Falls Canal Co.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. E55 Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 176.8 acres in a single irrigation season.
7. E54 The rights listed below are limited to a total combined annual diversion volume of 707.2 af. Combined Right Nos.: 47-17555, 47-17560, 47-17565
8. T17 The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Decreed Date: 7/14/2009

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

Current Water Right No.: 47-17560

Current Owner: MATHERS RANCH INC

Priority Date: 8/8/1954

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.47 CFS	643.3 AF
	<u>Total Diversion</u>	1.47 CFS	643.3 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4NE1/4	Sec. 31,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4SW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	NENE	0.50	T11S R18E S31	SWNE	8.50
T11S R18E S31	SENE	27.20	T11S R18E S31	SESW	2.60
T11S R18E S31	NESE	40.00	T11S R18E S31	NWSE	26.00
T11S R18E S31	SWSE	38.00	T11S R18E S31	SESE	34.00

Total Acres: 176.8

Conditions of Approval:

1. S20 Use of this right is combined with water from Twin Falls Canal Co.
2. T17 The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. K06 Right 47-17560 is limited to the irrigation of 160.8 acres within the place of use described above in a single irrigation season.
4. R31 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. E55 Right Nos. 47-17555, 47-17560, 47-17565 are limited to the irrigation of a combined total of 176.8 acres in a single irrigation season.
6. E52 The rights listed below are limited to a total combined diversion rate 3.23 cfs. Combined Right Nos.: 47-17555, 47-17560, 47-17565
7. E54 The rights listed below are limited to a total combined annual diversion volume of 707.2 af. Combined Right Nos.: 47-17555, 47-17560, 47-17565
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 7/14/2009

Total Acres (for irrigation use) 7.0

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

Current Water Right No.: 47-17565

Current Owner: MATHERS RANCH INC

Priority Date: 4/3/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.21 CFS	107.1 AF
	<u>Total Diversion</u>	0.21 CFS	107.1 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 31,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4NW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4SW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	NENE	0.50	T11S R18E S31	SWNE	8.50
T11S R18E S31	SENE	27.20	T11S R18E S31	SESW	2.60
T11S R18E S31	NESE	40.00	T11S R18E S31	NWSE	26.00
T11S R18E S31	SWSE	38.00	T11S R18E S31	SESE	34.00

Total Acres: 176.8

Conditions of Approval:

1. E55 Right Nos. 47-17555, 47-17560, 47-17565 are limited to the irrigation of a combined total of 176.8 acres in a single irrigation season.
2. E54 The rights listed below are limited to a total combined annual diversion volume of 707.2 af. Combined Right Nos.: 47-17555, 47-17560, 47-17565
3. k06 Right 47-17565 is limited to the irrigation of 81.4 acres within the place of use described above in a single irrigation season.
4. S20 Use of this right is combined with water from Twin Falls Canal Co.
5. E52 The rights listed below are limited to a total combined diversion rate of 3.23 cfs. Combined Right Nos.: 47-17555, 47-17560, 47-17565
6. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. T17 The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 7/14/2009

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

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

- ☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 47-17565

- [illegible]

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

[illegible]

Total Acres (for irrigation use) 7.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

FOR DEPARTMENT USE ONLY

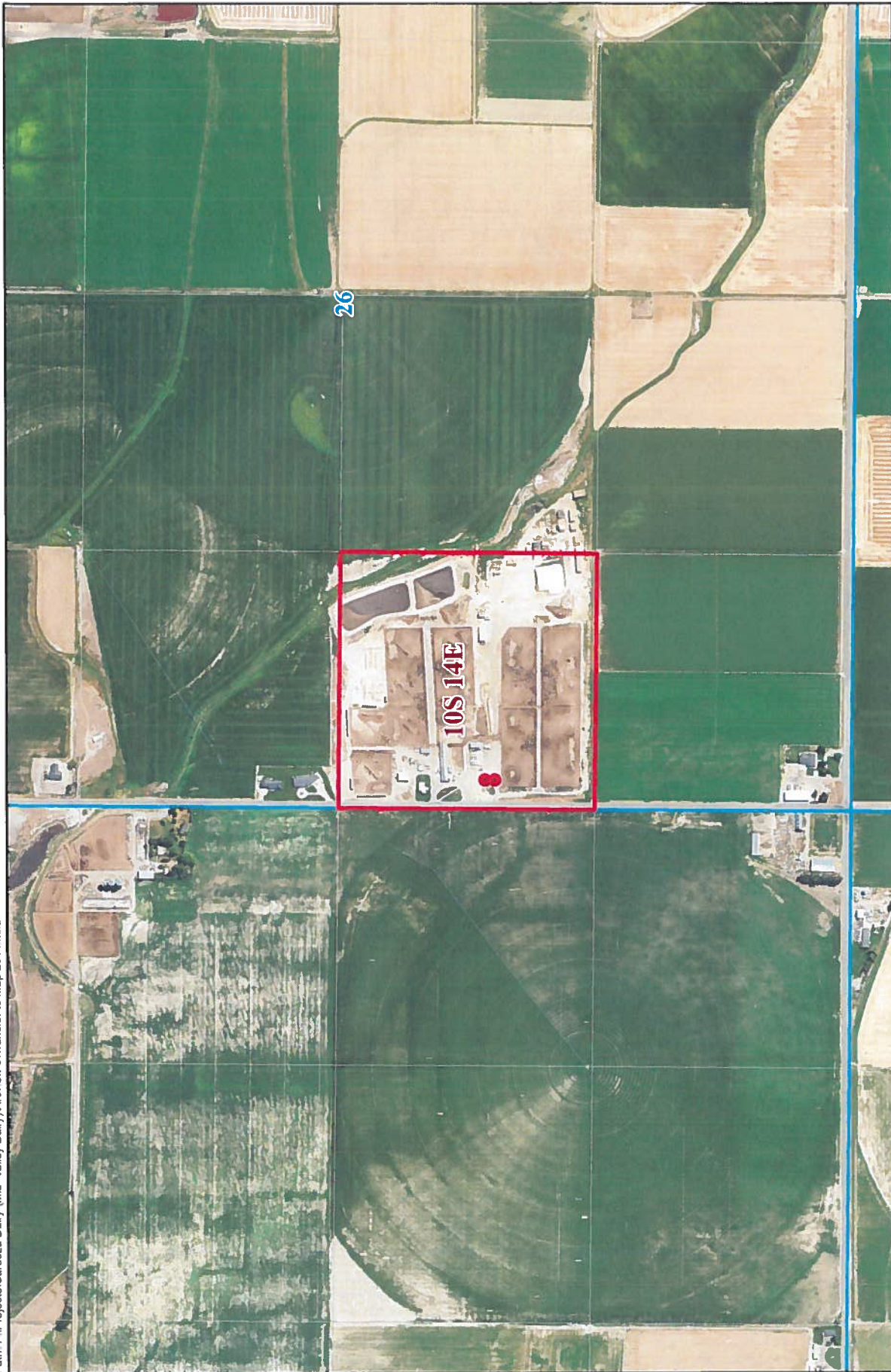
Transfer contains 14 pages and _____ attachments.

Received by DM Date 12.10.2014 Preliminary check by _____ Date _____

Fee paid \$200 - Date 12.10.2014 Received by DM Receipt # S034442

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

Path: F:\Projects\Cardoza Dairy (Mid Valley Dairy)\Arcview 9\Transfer to Map 2014.mxd



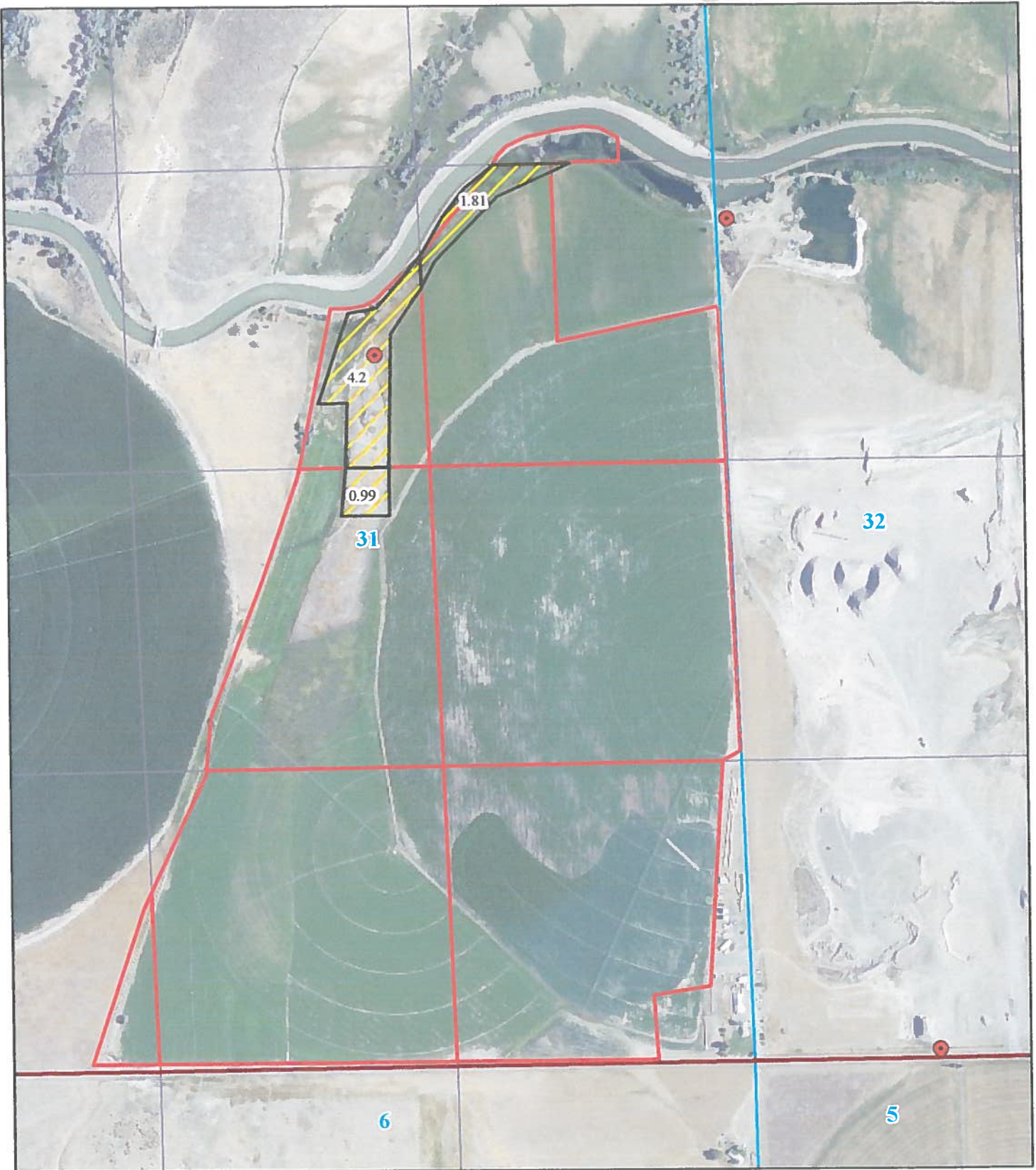
0 250 500 1,000 Feet



- Legend**
- Points_of_Diversion
 - Place_of_Use
 - twtnshp
 - Sections
 - QQ_lines

**MID VALLEY DAIRY
TRANSFER MAP (TO LOCATION)
NAIP 2013 AERIAL**

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 8/4/2014



0 230 460 920 Feet

Stan Haye
TRANSFER MAP 2014
NAIP 2014 AERIAL

Legend

- WR_POD_S.H
- twnshp
- Transferring Acres
- Sections
- WR_POU_S.H
- lades



BROCKWAY ENGINEERING, PLLC.
ALR - Date: 11/18/2014

TRANSFER 79719

Mid Valley Dairy

Irrigation to Stock and Commercial Water Transfer Calculations

Current **0.0 AFA**
 Demand **21.3 AFA**
 Total Demand Plus % **21.3 AFA** **0%**
 Additional Water Needed **21.3 AFA**

Total Acres **176.8**
 CFS **3.23**
 AFA **707.2** **4 AFA/acre**
 Acres sold/ Transferring **7.0**
 0.0396 %

926 mm
3.04 ft/season
537.1 AFA
21.3 AFA

76.0%

Water Right	Original Water Rights			Stock/Commercial Transfer Amount			Remaining Irrigation Amount		
	cfs	AFA	Acre Limit	cfs	AFA	Acres	cfs	AFA	Acres
47-17555	3.23	704.4	176.1	0.13	21.2	7.0	3.10	676.5	169.1
47-17560	1.47	643.3	160.8	0.06	19.4	6.4	1.41	617.8	154.5
47-17565	0.21	107.1	81.4	0.01	9.8	3.2	0.20	94.2	23.6
Additive Totals	3.23	1454.8	418.3	0.19	50.4	16.6	4.72	1388.5	347.1
Allowed Totals	3.23	707.2	176.8	0.13	21.3	7.0	3.10	679.2	169.8

Livestock Confinement Operations

Water Requirements and Consumptive Use Worksheet

Copyright 1998 by Brockway Engineering, PLLC

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

COMPLETE BLUE HIGHLIGHTED SECTIONS ONLY

Prepared for: Mid Valley Dairy
Dairy Facility Worksheet

Revision: 9801
 Run Date: 8/4/2014

Remarks:

Herd Information - User Input

Number of milking cows 1000
 Number of dry cows 0
 Number of other adult dry animals 0

Breed: Large

Calves at age:
 1 month 0
 2 months 0
 3 months 0
 4 months 0

Heifers at age:
 5 - 18 months 0
 15 - 18 months 0
 18 - 24 months 0

ANIMAL INFORMATION

Use defaults or enter values if known

Average body weight 1500 lbs
 Milk fat percentage 3.7 %
 Average days dry 60
 Annual milk yield per animal 25185 lbs/year
 Percent dry matter in ration 75 %

Nearest weather station Buhl
 Number of milkings/day 3

Check: Total herd size based on days dry 0
 HERD SIZE NOT CONSISTENT WITH DAYS DRY

Lagoon Information - User Input

Lagoon Number	Top width	Top length	SS (h:v)	Max depth	Average depth factor	% days with water	Top Area	Bottom Area	Average Area
1							0	0	0
2							0	0	0
3									
4									
5									
6									
7									
8									
9									
10									
TOTAL ACRES							0.00	0.00	0.00

Facility Information - User Input

	Holding Pen 1	Holding Pen 2	
Holding pen active	0	0	(0 = not used or nonexistent)
Number of sprinklers in pen			
Average line pressure			psi
Sprinkler nozzle size - primary	0	0	inches
Sprinkler nozzle size - secondary	0	0	(enter 0 for single-nozzle sprinklers)
Daily operation time of sprinklers			minutes
Percent of days per year cows are washed			%

Number of free stalls	0	
Length of each free stall	0	feet
Width of each free stall	0	feet

Is the feeding area flushed to lagoon?	No
Is this housing area flushed to lagoon?	No

	Barn	Feeding	Housing
Flushing recycle rate	0%	0%	0%

CLEANING VOLUMES

Use defaults or enter manufacturer volumes

Cleaning parlor floor	500	3000	Cleaning pipeline	400	400
Cleaning milkroom	500	200	Cleaning equipment	200	200
Cleaning bulk tank	80	400			

Land Application Information - User Input

Type of system	Center Pivot
Predominant cropping	FCorn

Percent of waste water which goes to meet crop irrigation requirement %

SCANNED

DEC 22 2014

Stockwater Component

Drinking Water Calculation for Lactating Cows

4% fat-corrected milk yield	24051.68 lbs/year
Daily average FCM yield	78.86 lbs/day
Daily average milk yield	82.57 lbs/day
Estimated DMI	56.46 lbs/day

METHOD 1: Kertz

Estimated total water intake (TWI)	330.3 lbs/day or 39.6 gal/day
As-fed feed daily intake	75.3 as-fed lb/day
Water content of feed	18.82 lb/day in feed
Drinking water intake	311.5 lb/day or 37.3 gal/day
Drinking water requirement for lactating cows	37348 gal/day 41.8 ac-ft/year

METHOD 2: Holter and Urban

Regression equation with DMI, milk production, and dry matter %

Drinking water intake	104.6 liters/day 27.6 gal/day
	27638 gal/day 31.0 ac-ft/year

Max drinking water requirement 41.8 ac-ft/year

Drinking Water Calculation for Dry Cows

Estimated DMI	28.5 lbs/day
Average drinking water intake	13 gal/day

Average drinking water requirement 0 gal/day
0.0 ac-ft/year

Drinking Water Calculation for Replacement Herd (Calves and Heifers)

Age	GPD	Ac-Ft/year
1 mo	0	0.00
2 mo	0	0.00
3 mo	0	0.00
4 mo	0	0.00
5 mo	0	0.00
15-18 mo	0	0.00
18-24 mo	0	0.00
Drinking water requirement for replacement herd	0 gpd	0.00 ac-ft/year

TOTAL STOCKWATER COMPONENT 41.8 AC-FT/YEAR

~~SCANNED~~
~~DEC 22 2014~~

Commercial Component

Milking Parlor Water Usage Calculation

Volume needed *per milking* in each parlor for:

Cleaning parlor floor	500 gal	Cleaning pipeline	400 gal
Cleaning milkroom	500 gal	Cleaning equipment	200 gal
Cleaning bulk tank	80 gal	Cleaning cows	500 gal

Total milking parlor volume	6540 gal/day
Second milking parlor volume	0 gal/day
Recycled water	0 gal/day
	7.33 ac-ft/year

Holding Pen Water Usage Calculation

	Pen 1	Pen 2
Output of primary nozzle	#N/A	#N/A gpm
Output of secondary nozzle	0	0 gpm
Holding pen flushing volume	0	0 gal
Sprinkler volume	0	0 gal/day
Total holding pen volume	0	0 gal/day
Recycled water	0	0 gal/day

0.00 ac-ft/year

Other Flushing Water Calculation

Daily volume needed for:

Feeding area flushing	0 gal/day
Housing area flushing	0 gal/day

Total other flushing volume	0 gal/day
Recycled water	0
	0.00 ac-ft/year

TOTAL COMMERCIAL COMPONENT 7.3 AC-FT/YEAR

~~SCANNED~~
~~DEC 24 2014~~

Consumptive Use Calculation

A. Lagoon Evaporation

Annual reference ET (Allen & Brockway , 1983)	0.00 feet	
Annual open water coeff (Kohler Nordenson Fox)	0.90	
Annual open water (lagoon) evaporation	0.00 feet	
Manual override: Input annual lagoon evap	feet	
Total lagoon water surface area at full	0 sq. ft.	
Total lagoon bottom area	0 sq. ft.	
Average surface area when water is present	0 sq. ft. =	0.00 ac
Total lagoon evaporation	0.00 ac-ft/year	

B. Animal usage: milk, metabolism, and excretion loss

	Milking	Dry
Waste excretion volume per cow	1.3	1.3 ft ³ /day/1000lb
Water content	87.5	88.4 %
Total water volume in excrement	12763	0 gal/day
Percent of excrement flushed to lagoons	15 %	(based on areas which are flushed)
Consumptive use (evap.) of water in excrement	85 %	
Consumptive use (evap.) volume	10848 gal/day	
Excrement c.u. attributable to drinking water	10230 gal/day	
Total milk production - assume 100% leaves site	82574 lbs/day or	9901 gal/day
Water content of milk	8614 gal/day	
Water content attributable to drinking water	8123 gal/day	
Water use for animal metabolism	18228 gal/day	
Metabolism water attributable to drinking water	17190 gal/day	
Consumptive use - replacement herd (100%)	0 gal/day	
Total animal consumptive use from drinking water	35543 gal/day or	39.8 ac-ft/year
Percent of drinking water intake	95.2 %	

C. Parlor/holding pen cleanup

Average sprinkler washing system evap loss	2 %	
Free stall total area	0 sq. ft. =	0.00 acres
Length of time free stall concrete is wet	1 hr/day	
Average evaporation from wet concrete	0.15 in./day	
Sprinkler system loss volume	0.00 ac-ft/year	
Free stall evaporation volume	0.00 ac-ft/year	
Total cleanup loss	0.00 ac-ft/year	

D. Land application site

Crop evapotranspiration	0.00 ac-ft/ac/year
Irrigation diversion volume	0.00 ac-ft/ac/year
System efficiency	0 %
Waste water volume to lagoons	9.3 ac-ft/year
Waste water volume available for land application	9.3 ac-ft/year
Total crop consumptive use of waste water	0.0 ac-ft/year

Summary

Consumptive Use

Lagoon evaporation	0.00
Animal milk, excretion, & metabolism	39.8
Parlor and holding pen cleanup	0.00
Crop consumptive use on land application	0.0

Total consumptive use **39.8 ac-ft/year**

Percent of diversion volume consumed 81.0 %

Annual crop consumptive use - IDWR allowable 720 mm
2.4 afa

Equivalent irrigated acres **16.9 acres**

Drinking Water

Milking herd	41.8
Non-milking herd (dry cows)	0.0
Replacement herd (calves and heifers)	0.0

Total drinking water volume **41.8 ac-ft/year**

Diversion volume to acres conversion factor **2.92 ac-ft/ac**

Commercial

Milking parlor	7.33
Holding pen and cleanup	0.0
Other flushing water	0.00

Total commercial volume **7.3 ac-ft/year**

TOTAL DIVERSION VOLUME REQUIREMENT **49.2 AC-FT/YR**

~~SCANNED~~
~~SEP 24 2014~~

No. C 48531	Due no later than Nov 30, 2014 Annual Report Form		2. Registered Agent and Office (NOT A P.O. BOX)																												
Return to: SECRETARY OF STATE 450 N 4th STREET PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. MATHERS RANCH, INC. LOTTIE L MATHERS 3485 EAST 3100 NORTH KIMBERLY ID 83341		DOUGLAS L. MATHERS 3485 EAST 3100 NORTH KIMBERLY ID 83341																												
		3. New Registered Agent Signature.																													
INCORPORATION DATE: 12-01-1973																															
4. Corporations: Enter Names and Business Addresses of President, Secretary, Directors, Treasurer, Vice Pres. <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Office Held</th> <th style="width: 20%;">Name</th> <th style="width: 25%;">Street or PO Address</th> <th style="width: 10%;">City</th> <th style="width: 10%;">State</th> <th style="width: 10%;">Country</th> <th style="width: 10%;">Postal Code</th> </tr> </thead> <tbody> <tr> <td>PRESIDENT:</td> <td>DOUGLASH. MATHERS.</td> <td>3035 N. - 3500 E.</td> <td>KIMBERLY, ID</td> <td>(TWIN FALLS COUNTY)</td> <td></td> <td>83341</td> </tr> <tr> <td>VICE PRESIDENT:</td> <td>JEANNE LAPPIN</td> <td>3482 E. - 3100 N.</td> <td>KIMBERLY, ID</td> <td>(TWIN FALLS COUNTY)</td> <td></td> <td>83341</td> </tr> <tr> <td>SEC./TREAS.</td> <td>LOTTIE L. MATHERS</td> <td>3485 E. 3100 N.</td> <td>KIMBERLY, ID</td> <td>(TWIN FALLS COUNTY)</td> <td></td> <td>83341</td> </tr> </tbody> </table>				Office Held	Name	Street or PO Address	City	State	Country	Postal Code	PRESIDENT:	DOUGLASH. MATHERS.	3035 N. - 3500 E.	KIMBERLY, ID	(TWIN FALLS COUNTY)		83341	VICE PRESIDENT:	JEANNE LAPPIN	3482 E. - 3100 N.	KIMBERLY, ID	(TWIN FALLS COUNTY)		83341	SEC./TREAS.	LOTTIE L. MATHERS	3485 E. 3100 N.	KIMBERLY, ID	(TWIN FALLS COUNTY)		83341
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5. Organized Under the Laws of: IDAHO C 48531	6. Signature: <u>Lottie L. Mathers</u> Date: <u>9-22-14</u> Name (type or print): <u>LOTTIE L. MATHERS</u> Title: <u>Sec./TREAS.</u>																														

CONTRACT FOR SALE OF WATER RIGHTS

THIS AGREEMENT is made and entered into this 14th day of November, 2014

By and between MATHERS RANCHES INC., herein after referred as seller, Stan Haye of SNAKE RIVER MANAGEMENT, INC., hereinafter referred to as their Brokerage Agent," and Donald & Dianna Gaalswyk husband and wife herein after referred as Buyers

RECITALS

A. Seller owns water rights appurtenant to Seven acres of land or describe as follows

47-17555, 47-17560 and 47-17565 and desires to split TWENTY ONE ACRE FEET or approximately (7) acres of the water right from degreed water rights to sell

The water rights are presently appurtenant to seven (7) acres of land located

In Twin Falls County, Idaho more particularly described as follows:

.99 acres in NW1/4 of SE 1/4, 4.2 acres SW1/4 of NE ¼ & 1.81 in the SE1/4 of NE 1/4 Section 31 Township 11 South, Range 18 East of the Boise Meridian

B. Buyer own real property located in Twin Falls County, Idaho more particularly described as:

The N1/2 of the SW1/4 of Section 26 Township 10 South, Range 14 East of the Boise Meridian.

C. The parties wish to agree upon terms and conditions whereby Sellers will sell to buyers, and buyers will purchase from Seller that portion of the Seller's water rights and make them Appurtenant to real property of the Buyer more particularly described above.

Nature of use of the water is for commercial, such water rights are described as in (see exhibit A)

IT IS THEREFORE AGREED, in consideration of these recitals and promises and Covenants hereafter contained as follows

1. Seller agrees to sell the water rights described in recital Exhibit A above for the total purchase price of

2. The parties acknowledge that this agreement is contingent upon the approval of the Transfer of the water rights to the Buyers in accordance with this agreement.

The transfer will be deemed complete upon the full approval of the transfer by the Idaho Department of Water Resources and the lapse of any protest or appeal period Allowed by law or if any protest or appeal of the final approval is timely filed upon, the final resolution of the appeal or protest upholding the validity of the transfer.

3. Within thirty (60) days of this execution of this agreement the parties shall execute an application, with the department of water Resources and all other necessary documents.

To initiate transfer of the water rights from Seller to Buyers in accordance with this agreement.

The parties shall fully cooperate to perform all actions and matters necessary to insure the approval of the application, including making appearances at any hearing or conference that may be required.

All costs fees and expenses incurred in the filing and processing of the application for

Transfer shall be borne exclusively by Brockway Engineering. However any unforeseen legal

Or hydrology costs that are incurred do to appeal or demands by The Idaho department of Water Resource to the transfer source property is the responsibility of the Buyer.

If final approval of the transfer by the Idaho department of water Resources has not been provided by the

1st Day of November 2017 all protests and appeals resolved or barred by lapse of time

This Agreement shall be null and void.

4. Seller warrants to Buyers that:

(a) Seller has good title to the water rights and has the lawful authority to enter into this Agreement.

(b) The real property to which the water rights are now appurtenant is not encumbered by any mortgage, deed of trust or other lien, or that any mortgagee deed of

Trust beneficiary or other lien holder has consented in writing to the transfer of the Water rights free of their liens.

5. Buyer shall diligently pursue the application for the transfer of water rights in Order that the application will receive consideration in the quickest possible time.

6. Should either party be in default under this Agreement, the other party shall give

Notice by certified mail to the other of the nature of every claimed event of default at The address provided bellow.

If the default is not timely cured within (10) days of the receipt of the notice,

The party giving the notice may:

- (a) Pursue any other remedy to which that party may be entitled under the laws of the state of Idaho.

7. The day of closing shall be a regular business day not more then ten (10) days after the

Final approval of the water rights transfer applied for pursuant to this agreement by the Idaho Department of Water Resource and the lapse of any time to file by lawful protest

Or appeal, closing shall occur at the office of First American Title Company Twin Falls office (Megan Clapp) Escrow officer.

Any costs at closing shall be paid by Snake River Management.

8. The parties acknowledge that the terms, conditions and convents of this agreement shall

Supersede any prior negotiations and agreements of the parties, that there is no other Agreements not contained in this agreement and that this Agreement shall be the final Expression of the agreement of the parties and shall control. No modifications of this Agreement shall be valid unless writing and executed by all parties herto. No amendment Or modification of this Agreement shall be effective unless it is made in writing Executed by all parties.

9. Seller has agreed to pay a commission to the Brokerage agent Stan Haye of Snake River Management, based on the sale price of the water rights. Due and payable upon the closing of this Agreement

Buyers are not obligated for the payment of any commission to Stan Haye, Snake River Management, Inc. without a separate written agreement to that effect.

10. The parties advised that they should seek the advise of legal counsel of their own choosing, prior to entering this agreement.

11. Buyer cannot assign their interest in this agreement to any third party

12. If default be made by either party hereto in keeping or performing any of the Convents, conditions or agreements conditions or agreements herin agreed to be kept by them, and the other party is required to employ an attorney to enforce any of the Convents, conditions or agreements herin contained, then and in such event, the party in Default agrees to pay, in addition to all other sumes herrin agreed to be paid by them a Reasonable attorneys fee together with any costs and disbursements that may be in cured in forcing this agreement.

13. The parties hereto acknowledge and agree that time is and shall be, the essence of each and every term and condition contained herein.

14. This agreement shall be binding upon and shall insure to the benifitof and be binding upon heirs, successors and assigns of the parties

County of Twin Falls)) SS.

Legal Description: For Water right owned by Mather's Ranches Inc.

See Water Right # 47-17555, 47-17560 and 47-17565 portions of land contained within the 1.81 acre SE $\frac{1}{4}$ NE $\frac{1}{4}$, .99 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$ & 4.2 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31 and the Township 11 south range 18 east of the Boise Meridian, Twin Falls county Idaho

No. C 133896	Due no later than May 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			STAN V HAYE 4875 WEST ATHENS COURT EAGLE ID 83616																								
	1. Mailing Address: Correct in this box if needed. SNAKE RIVER MANAGEMENT, INC. STAN V HAYE 4875 WEST ATHENS COURT EAGLE ID 83616 USA		3. <u>New</u> Registered Agent Signature:*																								
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional). <table border="1"> <thead> <tr> <th>Office Held</th><th>Name</th><th>Street or PO Address</th><th>City</th><th>State</th><th>Country</th><th>Postal Code</th></tr> </thead> <tbody> <tr> <td>SECRETARY</td><td>DIANA S LINCOLN-HAYE</td><td>4875 WEST ATHENS COURT</td><td>EAGLE</td><td>ID</td><td>USA</td><td>83616</td></tr> <tr> <td>PRESIDENT</td><td>STAN V HAYE</td><td>4875 WEST ATHENS COURT</td><td>EAGLE</td><td>ID</td><td>USA</td><td>83616</td></tr> </tbody> </table>							Office Held	Name	Street or PO Address	City	State	Country	Postal Code	SECRETARY	DIANA S LINCOLN-HAYE	4875 WEST ATHENS COURT	EAGLE	ID	USA	83616	PRESIDENT	STAN V HAYE	4875 WEST ATHENS COURT	EAGLE	ID	USA	83616
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5. Organized Under the Laws of: ID C 133896	6. Annual Report must be signed.* <table border="0"> <tr> <td>Signature: Stan Haye</td> <td>Date: 04/02/2014</td> </tr> <tr> <td>Name (type or print): Stan Haye</td> <td>Title: President</td> </tr> </table>						Signature: Stan Haye	Date: 04/02/2014	Name (type or print): Stan Haye	Title: President																	
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Processed 04/02/2014	* Electronically provided signatures are accepted as original signatures.																										

TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE BOISE
03:14:28 PM 08-28-2014
2014014591
NO. PAGES 6 FEE: \$25.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: JWD
Electronically Recorded by Simplifile

WARRANTY DEED

#5023

For Value Received

MID-VALLEY FARM, LLC, an Idaho Limited Liability Company, LUIS NUNES, an unmarried man and JOHN CARDOZO AND ELVIRA CARDOZO, husband and wife

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

Donald Gaalswyk and Dianna Gaalswyk, husband and wife
Address: 952 E. 3700 N. Castleford, Idaho 83321

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

PARCEL NO. 1:

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho

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

PARCEL NO. 2:

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho

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

EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

A portion of land in the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ particularly described as follows:

A parcel of land being described as the North 320 feet of the East 327 feet of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, Section 26, Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho, Except the South 87 feet of the West 200 feet thereof.

AND

Tract No. 2:

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

COMMENCING at a 5/8-inch pin with a cap stamped LS 889 marking the Southwest corner of the NW $\frac{1}{4}$ of said Section 26, being also the POINT OF BEGINNING of this land description, from which a $\frac{1}{2}$ -inch rebar with cap stamped LS 9858 bears South 89°15'57" East, at a distance of 25.00 feet;

THENCE along the West line of the NW $\frac{1}{4}$ of said Section 26, North 00°33'32" East, a distance of 243.30 feet to a point from which a $\frac{1}{2}$ inch rebar with cap stamped LS 9858 bears South 89°15'57" East a distance of 25.74 feet;

THENCE parallel to the South line of the NW $\frac{1}{4}$ of said Section 26, South 89°15'57" East, a distance of 535.76 feet to a $\frac{1}{2}$ inch rebar with cap stamped LS 9858 marking the beginning of a curve concave to the left having a radius of 1329.41 feet, a central angle of 26°09'31" and being subtended by a chord which bears South 65°24'53" East, 601.69 feet;

THENCE Southeasterly and easterly along said curve, a distance of 606.95 to the intersection with the South line of the NW ¼ of said Section 26, being marked by a ½ inch rebar with cap stamped LS 9858;
THENCE along the South line of the NW ¼ of said Section 26, North 89°15'57" West, a distance of 1085.32 feet to the POINT OF BEGINNING of this land description.

Tract No. 3:

Part of the SW ¼ of the NW ¼ of said Section 26 being more particularly described as follows:
COMMENCING at a 5/8-inch pin with a cap stamped LS 889 marking the Southwest corner of the NW ¼ of said Section 26;

THENCE along the West line of the NW ¼ of said Section 26, North 00°33'32" East, a distance of 243.30 feet to a point, being also the POINT OF BEGINNING of this land description, from which a ½ inch rebar with cap stamped LS 9858 bears South 89°15'57" East, at a distance of 25.74 feet;

Continuing along the West line of the NW ¼ of said Section 26, North 00°33'32" East, a distance of 535.20 feet to a point from which a ½ inch rebar with cap stamped LS 9858 bears South 89°15'57" East at a distance of 27.38 feet;

THENCE parallel to the South line of the NW¼ of said Section 26, South 89°15'57" East, a distance of 115.88 feet to a ½ inch rebar with cap stamped LS 9858 marking the beginning of a curve concave to the left having a radius of 1329.41 feet, a central angle of 29°41'33" and being subtended by a chord which bears South 37°29'21" East 681.26 feet;

THENCE Southeasterly along said curve, a distance of 688.94 feet to a point of cusp, being marked by a ½ inch rebar with cap stamped LS 9858;

THENCE parallel to the South line of the NW ¼ of said Section 26, North 89°15'57" West, a distance of 535.76 feet to the POINT OF BEGINNING of this land description.

PARCEL NO. 3:

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 26: A portion of land in the East ½ of the NW ¼ particularly described as follows:

A parcel of land being described as the North 320 feet of the East 327 feet of the East ½ of the NW ¼, Section 26, Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho, Except the South 87 feet of the West 200 feet thereof.

PARCEL NO. 3A:

A 25.00 foot wide nonexclusive vehicular access easement along the East 25 feet of the North 320 feet of said E ½ of the NW ¼.

PARCEL NO. 4:

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho

Section 26: Part of the SW ¼ of the NW ¼ of said Section 26 being more particularly described as follows:

COMMENCING at a 5/8-inch pin with a cap stamped LS 889 marking the Southwest corner of the NW ¼ of said Section 26, being also the POINT OF BEGINNING of this land description, from which a ½-inch rebar with cap stamped LS 9858 bears South 89°15'57" East, at a distance of 25.00 feet;

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THENCE Southeasterly and easterly along said curve, a distance of 606.95 to the intersection with the South line of the NW ¼ of said Section 26, being marked by a ½ inch rebar with cap stamped LS 9858;
THENCE along the South line of the NW ¼ of said Section 26, North 89°15'57" West, a distance of 1085.32 feet to the POINT OF BEGINNING of this land description.

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho

Section 26: Part of the Southwest ¼ of the Northwest ¼ of said Section 26 being more particularly described as follows:

COMMENCING at a 5/8-inch pin with a cap stamped LS 889 marking the Southwest corner of the NW¼ of said Section 26;

THENCE along the West line of the NW ¼ of said Section 26, North 00°33'32" East, a distance of 243.30 feet to a point, being also the POINT OF BEGINNING of this land description, from which a ½ inch rebar with cap stamped LS 9858 bears South 89°15'57" East, at a distance of 25.74 feet;

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THENCE Southeasterly along said curve, a distance of 688.94 feet to a point of cusp, being marked by a ½ inch rebar with cap stamped LS 9858;

THENCE parallel to the South line of the NW ¼ of said Section 26, North 89°15'57" West, a distance of 535.76 feet to the POINT OF BEGINNING of this land description.

Township 11 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho

Section 2: N½ SE¼

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 197 Shares of Twin Falls Canal Company water stock.

SUBJECT TO:

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

Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interest that are not listed.

Taxes for 2014 and subsequent years, a lien, but not yet due or payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the Twin Falls Canal Company and the rights and powers of said Company as by law provided.

Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.

Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the land, together with all rights, privileges, and immunities related thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interest that are not listed.

A 25. foot easement for road and highway purposes as disclosed in Deed to Ernest C. Knoll, recorded September 30, 1911 as Instrument No. 29886. (Affects Parcel 6)

Right-of-way over the South 20 feet of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ as disclosed in Deed to Josef Nejezchleba recorded December 31, 1917 as Instrument No. 90907. (Affects Parcel 6)

Agreement for a ditch upon the terms, conditions and provisions contained therein:

Parties: Charles L. Smith and Anna F. Smith, husband and wife and J.W. Vanderford and Adaline Vanderford, husband and wife
Recorded: November 29, 1919
Instrument No. 100531 (Affects Parcel 2 and 3)

Agreement for a ditch or dike upon the terms, conditions and provisions contained therein:

Parties: J.W. Vanderford and Adeline Vanderford, husband and wife and J.W. Davls
Recorded: May 7, 1919
Instrument No. 106651 (Affects Parcels 2 and 3)

Easement granted to Idaho Power Company, a corporation, recorded July 14, 1928 as Instrument No. 210101. (Affects Parcel 1)

Grant of an undivided one-half% interest in oil, gas and other hydrocarbons and minerals, by document recorded November 13, 1947, Instrument No. 367510, together with the appurtenant rights to use the surface of the land.
(Affects Parcel 6)

Easement granted to Idaho Power Company, a corporation, recorded December 26, 1975 as Instrument No. 689678.
(Affects Parcel 1)

Easement granted to Idaho Power Company, a corporation, recorded April 19, 1978 as Instrument No. 735173.
(Affects Parcel 3)

The effect of Letter of "Findings of Non-Compliance by the Twin Falls County Planning and Zoning Board at their regular meeting September 13, 1981" recorded by the Twin Falls County Planning and Zoning Administrations on October 20, 1981 as Instrument No. 811350. (Affects Section 26, Township 10 South, Range 14 East)

Easement granted to Idaho Power Company, a corporation, recorded January 27, 1989 as Instrument No. 950571.
(Affects Parcel 6)

All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded December 30, 1991 as Instrument Number 1991-012676, records of Twin Falls County, Idaho. (Affects Parcels 2, 4, and 5)

All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded August 7, 1998 as Instrument Number 1998-014403, records of Twin Falls County, Idaho. (Affects Parcel 6)

A 25.0 wide nonexclusive vehicular access and irrigation easement along the East 25 feet of the North 320 feet of said E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 26, as disclosed in Warranty Deed to John W. Cardozo and Elvira N. Cardozo, husband and wife, recorded February 18, 1999 as Instrument No. 1999-003119. (Affects Parcel 2)

Easement granted to Idaho Power Company, a corporation, recorded June 14, 1999 as Instrument No. 1999-011311.
(Affects Parcel 1)

Right-of-way for the irrigation-drain lateral along the northeasterly side of property as disclosed in Quitclaim Deed to John W. Cardozo and Elvira N. Cardozo, recorded October 25, 2005 as Instrument No. 2005-024151
(Affects Parcels 2, 4 and 5)

All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded December 21, 2005 as Instrument Number 2005-029157, records of Twin Falls County, Idaho.

(Affects Parcels 2, 4 and 5)

All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded May 28, 2009 as Instrument Number 2009-012156, records of Twin Falls County, Idaho. (Affects Parcels 2, 4 and 5)

Provisions in deed to John & Elvira Cardozo recorded June 1, 2009 as Instrument No. 2009-012426 and re-recorded June 8, 2009 as Instrument No. 2009-013020, substantially as follows: Waiver of Nuisance. (Affects Parcel 4)

Provisions in deed to John & Elvira Cardozo recorded June 1, 2009 as Instrument No. 2009-012437 and re-recorded June 8, 2009 as Instrument No. 2009-013021, substantially as follows: Waiver of Nuisance. (Affects Parcel 5)

Right-of-way or easement of 3700 North road.

Right-of-way or easement of 1300 East road.

Right-of-way or easement of 1400 East road.

The land described in this commitment shall not be deemed to include any house trailer or mobile home located on the premises.

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

Dated: August 22, 2014

MID-VALLEY FARM, LLC, An Idaho Liability Company

By: [Signature]
John Cardozo, Member

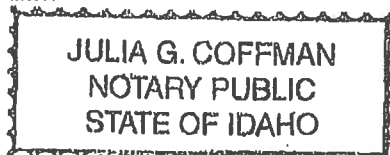
By: [Signature]
Elvira Cardozo, Member

By: [Signature]
Luis Nunes, Member

By: [Signature]
Steve Nunes, Member

STATE OF IDAHO)
)ss.
COUNTY OF TWIN FALLS)

On this 22 day of August, 2014, before me, the undersigned, a Notary Public, personally appeared John Cardozo, Elvira, Cardozo, Luis Nunes and Steven Nunes known or identified to me (or proved on the oath) to be the members of MID-VALLEY FARM, LLC the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.



[Signature]
Notary Public
Residing at: [Signature] Ida
My Commission Expires: 6-20-2020

Luis Nunes
Luis Nunes, Individually

STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On this 22 day of August, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Luis Nunes, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Julia G. Coffman
Notary Public
Residing at: Rupert, Idaho
My Commission expires: 6-20-2020

John Cardozo
John Cardozo, Individually

Elvira Cardozo
Elvira Cardozo, Individually

STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On this 22nd day of August, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared John Cardozo and Elvira Cardozo, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Julia G. Coffman
Notary Public
Residing at: Rupert, Idaho
My Commission expires: 6-20-2020

Steve Nunes
Steve Nunes, Individually

STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On this 22 day of August, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Steve Nunes, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Julia G. Coffman
Notary Public
Residing at: Rupert, Idaho
My Commission expires: 6-20-2020



TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



September 24, 2009

RE: Mathers Ranch, Inc. Water Shares

To whom it concern,

There are no Twin Falls Canal Company Water Shares on the following property that Mather's Ranch, Inc. owns.

SE1/4 SE1/4

E1/2 SW1/4 NE1/4 that land lying South of High Line Canal

NW1/4 SE1/4

SW1/4 SE1/4

SE1/4 SW1/4

SE1/4 NE1/4

All in Section 31, Township 11, Range 18

And

SW1/4 NW1/4

NW1/4 SW1/4

Section 32, Township 11, Range 18

All 100.00 shares are appurtenant to the NE1/4 SE1/4, W1/2 SE1/4 SE1/4 & SW1/4 SE1/4

Sincerely

Kay Puschel
Water Records

11S18E30

2006

11S18E29

11S18E31

CANAL
WATER

grass hay

11S18E32

Alfalfa

grass
hay

grass
hay

12S18E6

Grass hay
898 mm/season = 2.95 ac-ft/acre

alfalfa
919 mm/season = 3.02 ac-ft/acre

Allen Brock way

12S18E5

2.97 ac-ft/acre



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

January 29, 2015

MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341

RE: Transfer No. 79719
Water Right No(s). 47-17555, 47-17560, 47-17565

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 2/5/2015 and 2/12/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**February 23, 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

cc: BROCKWAY ENGINEERING PLLC

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 29, 2015 1:00 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on February 5th & 12th, 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

January 29, 2015

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

RE: Application For Permit No.(s): 45-14465 & 47-17633

RE: Transfer No. 79699
Water Right No(s): 36-2117, 36-2594

RE: Transfer No. 79700
Water Right No(s): 36-2117, 36-2594

RE: Transfer No. 79719
Water Right No(s): 47-17555, 47-17560, 47-17565

RE: Transfer No. 79754
Water Right No(s): 43-13206, 43-13209, 43-13540, 43-2580B

RE: Transfer No. 79759
Water Right No(s): 43-13688, 43-13690, 43-7129, 43-7192

RE: Transfer No. 79775
Water Right No(s): 36-7878

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 February 23, 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:

45-14465

ROGER DUFFIN

P.O. BOX 663

PAUL, ID 83347

Point of Diversion L3(SWNE) S25 T10S R19E TWIN FALLS County Source WASTE WATER Tributary SNAKE RIVER

Point of Diversion L3(SWNE) S25 T10S R19E TWIN FALLS County Source WASTE WATER Tributary SNAKE RIVER

Use: AESTHETIC 01/01 to 12/31 2.6 CFS

Use: WATER QUALITY IMPROVEMENT 01/01 to 12/31 2.6 CFS

Use: WILDLIFE 01/01 to 12/31 2.6 CFS

Total Diversion: 2.6 CFS

Date Filed: 12/22/2014

Place Of Use: AESTHETIC, WATER QUALITY IMPROVEMENT, WILDLIFE

T10S R19E S25 L3(SWNE) L3(SENE) L6(NESE) L6(NWSE)

Application for permit proposes to divert 2.6 cfs of waste water for non-consumptive aesthetic, wildlife and water quality improvement uses. An existing pipeline and ditch will convey the waste water through an existing series of small, manmade, shallow wetlands located approximately 2.0 to 2.5 miles north and 0.7 to 0.8 miles west of the center of Murtaugh before returning to the Snake River.

47-17633

TERRY G WHITE

PO BOX 663

BUHL, ID 83316

MARY D WHITE OSTRANDER

7637 S MCLINTOCK PL

MERIDIAN, ID 83642

Point of Diversion NENW S28 T09S R14E TWIN FALLS County Source MUD CREEK Tributary SNAKE RIVER

Use: POWER 01/01 to 12/31 25 CFS

Total Diversion: 25 CFS

Date Filed: 12/23/2014

Place Of Use: POWER

T09S R14E S28 NWNE

Application proposes to divert water from Mud Creek to generate power for sale on the electrical grid from an existing power generation facility. Water is carried approximately 270 feet in a penstock from an existing diversion on Mud Creek into two generating units and then discharged back into Mud Creek. The power plant is located 3.1 miles west and 1.3 miles north of the Buhl city center. Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on February 5th & 12th, 2015.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79699

IDAHO WATER CO LLC, C/O DEL KOHTZ, 1135 VALLEY RD S, EDEN, ID 83325; has filed Application No. 79699 for changes to the following water rights within JEROME County(s): Right No(s). 36-2117, 36-2594. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring an 11.9 acre (0.24 cfs) portion of two ground water irrigation rights currently used on a farm located approximately 5.0 miles south of Hazelton to year round commercial use associated with the Moss Greenhouses operation located approximately 2.7 miles south and 2.8 miles east of the center of Jerome. Three existing wells located on the Moss Greenhouses property will be used to provide up to 0.24 cfs and 37.0 afa of water for commercial use.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79700

IDAHO WATER CO LLC, C/O DEL KOHTZ, 1135 VALLEY RD S, EDEN, ID 83325; has filed Application No. 79700 for changes to the following water rights within JEROME County(s): Right No(s). 36-2117, 36-2594. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 13 acre (0.26 cfs) portion of two ground water irrigation rights currently used on a farm located approximately 5.0 miles south of Hazelton to a farm located approximately 0.3 to 2.0 miles north and 2.5 to 4.0 miles east of Declo. The transferred rights (0.26 cfs) will be diverted from five existing wells and used to irrigate 13.0 acres within a proposed 1081 acre permissible place of use on the farm northeast of Declo.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79719**

MATHERS RANCH INC, 3485 E 3100 N, KIMBERLY, ID 83341; has filed Application No. 79719 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes transferring a combined 0.13 cfs (21.3af) portion of three irrigation ground water rights from a farm located approximately 9.2 to 10.0 miles south and 3.4 to 4.2 miles east of the city center of Twin Falls to commercial and stockwater use to be diverted from two existing wells at an existing dairy. Dairy is located approximately 5.2 miles south and 1.5 miles east of the city center of Buhl.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79754**

PETER J GRUSH and SYLVIA T GRUSH, 2038 S HWY 81, MALTA, ID 83342; has filed Application No. 79754 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13206, 43-13209, 43-13540, 43-2580B. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 0.12 cfs and 20.0 ace-feet per year portion of four groundwater rights from stockwater and commercial use to municipal use associated with a community water system. The rights are currently authorized to be diverted from three wells on a dairy facility located along the west side of Highway 81 approximately 4.5 to 5.0 miles south of Malta and used for stockwater and commercial use(s) at the dairy facility. The proposed municipal use will be diverted from an existing well located along the east side of Highway 81 approximately 4.7 miles south of Malta and provide water for several residences located along Highway 81 approximately 4.5 to 5.0 miles south of Malta.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79759**

MICHAEL P WHEELER and DIANA M WHEELER, 2155 E 100 S, DECLO, ID 83323; has filed Application No. 79759 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13688, 43-13690, 43-7129, 43-7192. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add a new well to be drilled to four groundwater rights with a total diversion of 3.26 cfs (820.8 af) for the irrigation of 205.2 acres. The new well will be located approximately 7.6 miles east and 3.3 miles south of the I-84 and I-86 interchange, on the north side of Yale Road, east of I-84. The application also proposes a slight modification to the place of use.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79775**

WICKEL LAND COMPANY, LLP, PO BOX 219, DECLO, ID 83323; has filed Application No. 79775 for changes to the following water rights within MINIDOKA, CASSIA County(s): Right No(s). 36-7878. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 40 acre (0.80 cfs) groundwater irrigation right from a farm located approximately 4.4 to 4.65 miles north and 5.0 to 5.25 miles east of the center of Rupert to a farm located approximately 0.3 to 2.0 miles north and 2.5 to 4.0 miles east of Declo. The transferred right (0.80 cfs) will be diverted from five existing wells and used to irrigate 40.0 acres within a proposed 1081 acre permissible place of use on the farm northeast of Declo.

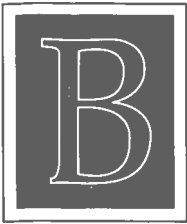
Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. 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 February 23, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 5th & 12th, 2015

RECEIVED

DEC 10 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

December 8, 2014

Bill Mills
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Mather's Ranch Inc.

Dear Mr. Merritt:

Mathers Ranch Inc. is the owner of water rights 47-17555, 47-17560 and 47-17565. An agreement is in place with Mathers Ranch, Snake River Management and Donald and Dianna Gaalswyk to purchase 0.10 cfs or 21.3 acre feet of consumptive use water to be used on a dairy facility south of Buhl, Idaho. Mathers Ranch Inc. will retain ownership of the 0.20 cfs or 21.3 afa until the attached transfer is approved by IDWR.

The transfer proposes to transfer the 0.20 cfs or 21.3 afa of water to an existing dairy facility that utilizes two ground water wells. This transfer will change the beneficial use, period of use and authorized PODs of the portion of these water rights to be transferred.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Cc: Donald Gaalswyk, Bob Jones, Stan Haye, Mathers Ranch Inc.
Enc: Transfer Application, Aerial Maps, Annual Reports, Contract for Sale of Water Rights,
Warranty Deed, Brockway Engineering Check # 12353 for \$200.00