



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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RECEIVED

JAN 09 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

January 9, 2013

Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Transfer 77712

Dear Mr. Merritt:

A review of the amended transfer 77712 that was signed January 3, 2013 was performed. The transfer conditions and characteristics that were amended are acceptable to the transfer applicants.

It has been brought to my attention that a 5.0 acre parcel was omitted from the proposed PPU when the original transfer was submitted to IDWR in November of 2010. The 5.0 acres was omitted from the proposed PPU because the transfer applicants did not own the property.

The applicants purchased the omitted 5.0 acres on February 10, 2012 and now would like to include the parcel into the proposed PPU. The warranty deed for this parcel is attached to this letter and the legal description for the parcel is Township 11 South Range 24 East Section 33 NWSW.

The applicants would like to petition for reconsideration regarding including this 5.0 acres with the PPU and increase the PPU to 4389.0 acres. See attached Exhibit D.

Sincerely,

Greg Sullivan

Cc: Craig Searle
Enc: Warranty Deed, Exhibit D

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WARRANTY DEED

#49032

For Value Received

Orin B. Woodbury, also known as Orin Woodbury, and Linda Woodbury, also known as Linda K. Woodbury, husband and wife

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

MVCP, LLC, an Idaho limited liability company
Address: 474 East 550 South
Burley, Idaho 83318

CASSIA COUNTY
Recorded for:
LAND TITLE AND ESCROW
11:32:23 am 02-10-2012
2012-000593
No. Pages: 2 Fee: \$13.00
JOSEPH W. LARSEN
County Clerk
Deputy: VIKI

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

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: Part of the NW¼SW¼, more particularly described as follows:

Beginning at the West ¼ section corner of said Section 33 said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap which shall be the Point of Beginning;
Thence North 89°56'46" East along the North line of the NW¼SW¼ for a distance of 695.69 feet to a ½ inch rebar;
Thence South 00°06'36" West for a distance of 313.07 feet to a ½ inch rebar;
Thence South 89°56'46" West for a distance of 670.69 feet to a ½ inch rebar;
Thence South 89°56'46" West for a distance of 25.00 feet to the West line of the NW¼SW¼;
Thence North 00°06'36" East along said line for a distance of 313.07 feet to the Point of Beginning.

SUBJECT TO:

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

Taxes for 2012 and subsequent years.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

Terms and conditions contained in Resolution 2005-09-3 of the Cassia County Planning and Zoning Commission granting a Permit for a Confined Animal Feeding Operation, dated September 15, 2005 and recorded September 19, 2005 as Instrument No. 304184, records of Cassia County, Idaho.

Assignment and Transfer of ownership of CAFO Permit to Moo View Cow Palace, a partnership, dated March 9, 2006 and recorded April 21, 2006 as Instrument No. 308087, records of Cassia County, Idaho.

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

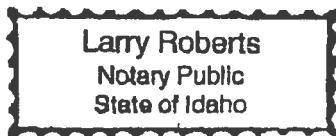
Dated: February 10th, 2012

Orin B Woodbury
Orin B. Woodbury, aka Orin Woodbury

Linda Woodbury
Linda Woodbury, aka Linda K. Woodbury

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 10th day of February, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Orin B. Woodbury, aka Orin Woodbury and Linda Woodbury, aka Linda K. Woodbury, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Larry Roberts
Notary Public
Residing at: Burley ID
My Commission expires: 4-30-15

JAN 09 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Exhibit D

PPU Description

Twp.	Rge.	Sec.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	23E	26										1	33	14	48
		32	39	40	41	40	40	39	30	41	40	41	40	39	629
		35	41	41	41	41					41	41			246
11S	24E	28									41	40	41	41	323
		30		40	41						37	37	40	40	235
		31	40			40					40	40	40	40	240
		32	39	39	39	39	39	39	39	39	40	40	40	40	632
		33		35	40		40	40	40	40	40	40	40		475
12S	23E	12	26			13.0				16	26	40	26		147
12S	24E	4						40	39						79
12S	24E	5	40	40	40	39	40	38	39	39	40	40	39	39	592
		6	39	39	39	39	41	38	38	41	41	40	40	40	631
		7						37	37						112
															0

Total 4389.0