

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 17 2011

Department of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

77526

Name of Applicant(s) Grandview Ranch, LLC C/O: Dwight Baker Phone (208) 785-2310Mailing address 266 W. Bridge Blackfoot, ID 83221 Email debaker@bakerharrislaw.com

- ☐ 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 Jason C. Helms, P.E. Phone (208) 308-2109Mailing address 6755 N. Albert Lane Idaho Falls, ID 83401 Email jasoncivil@alumni.nd.edu

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

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


 Signature of Applicant or Authorized Representative

DWIGHT E. BAKER, MANAGER
 Print Name and Title if applicable

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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 Create PPU

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**. This transfer seeks to abandon 1 well, add a new replacement well and create a permissible place of use (PPU) to authorize more flexible use of the water rights on the applicants property. Current system irrigation indicated on Attachment 7A.

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. <u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
35-2599	2.01 / 854.0	IRRIGATION	4/1 to 10/31	GROUND WATER
35-2685	3.66 / 1104.0	IRRIGATION	4/1 to 10/31	GROUND WATER
35-7488	4.24 / 1168.0	IRRIGATION	4/1 to 10/31	GROUND WATER
35-7489	3.35 / 670.4	IRRIGATION	4/1 to 10/31	GROUND WATER
35-7490* (35-14181)	4.35 / 976.0	IRRIGATION	4/1 to 10/31	GROUND WATER
35-13046	(0.44) / 148.0	IRRIGATION	4/1 to 10/31	GROUND WATER
			to	
			to	
			to	
Total <u>17.61</u> cfs and/or <u>4920.4</u> ac-ft				

2. Total amount of water being transferred or changed 17.61 cubic feet per second and/or 4920.4 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 #
		NE	SE	SW	25	03S	31E	Bingham	Ground Water	Extg. Well
		NE	NW	SW	36	03S	31E	Bingham	Ground Water	Extg. Well
		NE	NW	SE	36	03S	31E	Bingham	Ground Water	Extg. Well
		SW	SE	NW	31	03S	32E	Bingham	Ground Water	Extg. Well
YES		NE	NE	NW	31	03S	32E	Bingham	Ground Water	Replacement Well

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	
03S	31E	25									39	40	40	39	40	40	40	40	318
		36	39	40	40	39	39	40	40	39	39	40	39.6	40	39	40	40	37.7	631.3
	32E	30									40	40.3	40.3	40		40	40		240.6
		31		40	40		40	40.2	40.2	40	40	40.2				40			360.6

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, one new replacement well, existing mainlines, wheel lines and center pivot system.

- b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: _____

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☒ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Metropolitan Life Insurance Company.

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: _____
All water rights indicated in part 1 will continue to be used within the same general property boundary. A portion of the 35-7490 is pending transfer from this property and will no longer be used here. Total irrigation will be limited to 1238.6 acres in a single irrigation season.

- 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: See also application 35-9032.

- 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: All portions of water rights 35-13046 & 35-7490 associated with CREP and the Idaho Water Supply Bank will remain appurtenant to this property. No diversion currently authorized under 35-13046 associated with 37 ac. CREP contract. Total diversion under 35-7490 limited to 420 afa also associated with CREP contracts (123.3. ac & 77.7 ac.) See also transfer #72696 approved 5/30/2007.

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

Current Water Right No.: 35-7490

Current Owner: GRANDVIEW RANCH LLC

Priority Date: 8/12/1976

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	5.46 CFS	1224 AF
	<u>Total Diversion</u>	5.46 CFS	1224 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4SW1/4 Sec. 25, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SE1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SW1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4SW1/4 Sec. 30, Twp 03S, Rge 32E B.M.
BINGHAM County	
GROUND WATER	SW1/4SE1/4NW1/4 Sec. 31, Twp 03S, Rge 32E B.M.
BINGHAM County	

Place of UseIRRIGATION Within BINGHAM County

T03S R31E S25	NESW	40.00	T03S R31E S25	NWSW	34.70
T03S R31E S25	SWSW	33.50	T03S R31E S25	SESW	33.40
T03S R31E S25	NESE	33.80	T03S R31E S25	NWSE	40.00
T03S R31E S25	SWSE	34.20	T03S R31E S25	SESE	33.30
T03S R31E S36	NENE	37.80	T03S R31E S36	NWNE	33.50
T03S R31E S36	SWNE	40.00	T03S R31E S36	SENE	40.00
T03S R31E S36	NENW	39.60	T03S R31E S36	NWNW	39.70
T03S R31E S36	SWNW	40.00	T03S R31E S36	SENW	20.50
T03S R31E S36	NESW	35.90	T03S R31E S36	NWSW	40.00
T03S R31E S36	SWSW	34.00	T03S R31E S36	SESW	34.20
T03S R31E S36	NESE	40.00	T03S R31E S36	NWSE	40.00
T03S R31E S36	SWSE	35.70	T03S R31E S36	SESE	32.50
T03S R32E S30	NESW	35.30	T03S R32E S30	Lot 3 NWSW	32.10
T03S R32E S30	Lot 4 SWSW	37.10	T03S R32E S30	SESW	39.60

T03S R32E S30	NWSE	3.60	T03S R32E S30	SWSE	5.90
T03S R32E S31	NWNE	6.80	T03S R32E S31	SWNE	38.80
T03S R32E S31	NENW	18.70	T03S R32E S31	Lot 1 NWNW	16.00
T03S R32E S31	Lot 2 SWNW	40.20	T03S R32E S31	SENE	40.00
T03S R32E S31	NESW	40.00	T03S R32E S31	Lot 3 NWSW	40.20
T03S R32E S31	NWSE	40.00			

Total Acres: 1300.6

Conditions of Approval:

1. R05 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. 120.
2. X35 Rights 35-7488, 35-2685, 35-13046, 35-2599, 35-7489 and 35-7490 when combined shall not exceed a total diversion rate of 18.72 cfs, a total annual maximum diversion volume of 5168.4 af at the field headgate, and the irrigation of 1300.6 acres.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. R02 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. 131 Prior to the diversion and use of water under Transfer approval 72696, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. X27 This right is limited to the irrigation of 306 acres within the place of use described above in a single irrigation season.

Decreed Date: 5/20/2002

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

Current Water Right No.: 35-13046

Current Owner: GRANDVIEW RANCH LLC

Priority Date: 5/1/1979

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.44 CFS	148 AF
	<u>Total Diversion</u>	0.44 CFS	148 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4SW1/4 Sec. 25, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SE1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SW1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4SW1/4 Sec. 30, Twp 03S, Rge 32E B.M.
BINGHAM County	
GROUND WATER	SW1/4SE1/4NW1/4 Sec. 31, Twp 03S, Rge 32E B.M.
BINGHAM County	

Place of Use

IRRIGATION Within BINGHAM County

T03S R31E S25		NESW	40.00	T03S R31E S25		NWSW	34.70
T03S R31E S25		SWSW	33.50	T03S R31E S25		SESW	33.40
T03S R31E S25		NESE	33.80	T03S R31E S25		NWSE	40.00
T03S R31E S25		SWSE	34.20	T03S R31E S25		SESE	33.30
T03S R31E S36		NENE	37.80	T03S R31E S36		NWNE	33.50
T03S R31E S36		SWNE	40.00	T03S R31E S36		SENE	40.00
T03S R31E S36		NENW	39.60	T03S R31E S36		NWNW	39.70
T03S R31E S36		SWNW	40.00	T03S R31E S36		SENW	20.50
T03S R31E S36		NESW	35.90	T03S R31E S36		NWSW	40.00
T03S R31E S36		SWSW	34.00	T03S R31E S36		SESW	34.20
T03S R31E S36		NESE	40.00	T03S R31E S36		NWSE	40.00
T03S R31E S36		SWSE	35.70	T03S R31E S36		SESE	32.50
T03S R32E S30		NESW	35.30	T03S R32E S30	Lot 3	NWSW	32.10
T03S R32E S30	Lot 4	SWSW	37.10	T03S R32E S30		SESW	39.60

T03S R32E S30		NWSE	3.60	T03S R32E S30		SWSE	5.90
T03S R32E S31		NWNE	6.80	T03S R32E S31		SWNE	38.80
T03S R32E S31		NENW	18.70	T03S R32E S31	Lot 1	NWNW	16.00
T03S R32E S31	Lot 2	SWNW	40.20	T03S R32E S31		SENE	40.00
T03S R32E S31		NESW	40.00	T03S R32E S31	Lot 3	NWSW	40.20
T03S R32E S31		NWSE	40.00				

Total Acres: 1300.6

Conditions of Approval:

1. X35 Rights 35-7488, 35-2685, 35-13046, 35-2599, 35-7489 and 35-7490 when combined shall not exceed a total diversion rate of 18.72 cfs, a total annual maximum diversion volume of 5168.4 af at the field headgate, and the irrigation of 1300.6 acres.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. R02 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.
4. 131 Prior to the diversion and use of water under Transfer approval 72696, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
5. Rights 35-2685 and 35-13046 when combined shall not exceed a total diversion rate of 3.66 cfs, a total annual maximum diversion volume of 1252 af at the field headgate, and the irrigation of 313 acres.
6. 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.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. K02 This right is based upon an enlargement of Right No. 35-2685 pursuant to Section 42-1426, Idaho Code.
9. K09 This right is for an enlargement of 37 acres within the place of use described for this right.
10. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. R05 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. 120.
12. 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.

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

Current Water Right No.: 35-7489

Current Owner: GRANDVIEW RANCH LLC

Priority Date: 3/14/1975

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	3.35 CFS	670.4 AF
	<u>Total Diversion</u>	3.35 CFS	670.4 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4SW1/4 Sec. 25, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SE1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SW1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4SW1/4 Sec. 30, Twp 03S, Rge 32E B.M.
BINGHAM County	
GROUND WATER	SW1/4SE1/4NW1/4 Sec. 31, Twp 03S, Rge 32E B.M.
BINGHAM County	

Place of Use

IRRIGATION Within BINGHAM County

T03S R31E S25	NESW	40.00	T03S R31E S25	NWSW	34.70
T03S R31E S25	SWSW	33.50	T03S R31E S25	SESW	33.40
T03S R31E S25	NESE	33.80	T03S R31E S25	NWSE	40.00
T03S R31E S25	SWSE	34.20	T03S R31E S25	SESE	33.30
T03S R31E S36	NENE	37.80	T03S R31E S36	NWNE	33.50
T03S R31E S36	SWNE	40.00	T03S R31E S36	SENE	40.00
T03S R31E S36	NENW	39.60	T03S R31E S36	NWNW	39.70
T03S R31E S36	SWNW	40.00	T03S R31E S36	SENW	20.50
T03S R31E S36	NESW	35.90	T03S R31E S36	NWSW	40.00
T03S R31E S36	SWSW	34.00	T03S R31E S36	SESW	34.20
T03S R31E S36	NESE	40.00	T03S R31E S36	NWSE	40.00
T03S R31E S36	SWSE	35.70	T03S R31E S36	SESE	32.50
T03S R32E S30	NESW	35.30	T03S R32E S30	Lot 3 NWSW	32.10
T03S R32E S30	Lot 4 SWSW	37.10	T03S R32E S30	SESW	39.60

T03S R32E S30	NWSE	3.60	T03S R32E S30	SWSE	5.90
T03S R32E S31	NWNE	6.80	T03S R32E S31	SWNE	38.80
T03S R32E S31	NENW	18.70	T03S R32E S31	Lot 1 NWNW	16.00
T03S R32E S31	Lot 2 SWNW	40.20	T03S R32E S31	SENE	40.00
T03S R32E S31	NESW	40.00	T03S R32E S31	Lot 3 NWSW	40.20
T03S R32E S31	NWSE	40.00			

Total Acres: 1300.6

Conditions of Approval:

1. R02 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.
2. R05 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. 120.
3. X27 This right is limited to the irrigation of 167.6 acres within the place of use described above in a single irrigation season.
4. 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.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. X35 Rights 35-7488, 35-2685, 35-13046, 35-2599, 35-7489 and 35-7490 when combined shall not exceed a total diversion rate of 18.72 cfs, a total annual maximum diversion volume of 5168.4 af at the field headgate, and the irrigation of 1300.6 acres.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 131 Prior to the diversion and use of water under Transfer approval 72696, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.

Licensed Date: 3/30/1993

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

Current Water Right No.: 35-7488

Current Owner: GRANDVIEW RANCH LLC

Priority Date: 3/14/1975

Origin: Water Right

Status: Active

Basis: License

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	4.24 CFS	1168 AF
	<u>Total Diversion</u>	4.24 CFS	1168 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4SW1/4 Sec. 25, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SE1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SW1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4SW1/4 Sec. 30, Twp 03S, Rge 32E B.M.
BINGHAM County	
GROUND WATER	SW1/4SE1/4NW1/4 Sec. 31, Twp 03S, Rge 32E B.M.
BINGHAM County	

Place of UseIRRIGATION Within BINGHAM County

T03S R31E S25		NESW	40.00	T03S R31E S25		NWSW	34.70
T03S R31E S25		SWSW	33.50	T03S R31E S25		SESW	33.40
T03S R31E S25		NESE	33.80	T03S R31E S25		NWSE	40.00
T03S R31E S25		SWSE	34.20	T03S R31E S25		SESE	33.30
T03S R31E S36		NENE	37.80	T03S R31E S36		NWNE	33.50
T03S R31E S36		SWNE	40.00	T03S R31E S36		SENE	40.00
T03S R31E S36		NENW	39.60	T03S R31E S36		NWNW	39.70
T03S R31E S36		SWNW	40.00	T03S R31E S36		SENW	20.50
T03S R31E S36		NESW	35.90	T03S R31E S36		NWSW	40.00
T03S R31E S36		SWSW	34.00	T03S R31E S36		SESW	34.20
T03S R31E S36		NESE	40.00	T03S R31E S36		NWSE	40.00
T03S R31E S36		SWSE	35.70	T03S R31E S36		SESE	32.50
T03S R32E S30		NESW	35.30	T03S R32E S30	Lot 3	NWSW	32.10
T03S R32E S30	Lot 4	SWSW	37.10	T03S R32E S30		SESW	39.60

T03S R32E S30		NWSE	3.60	T03S R32E S30		SWSE	5.90
T03S R32E S31		NWNE	6.80	T03S R32E S31		SWNE	38.80
T03S R32E S31		NENW	18.70	T03S R32E S31	Lot 1	NWNW	16.00
T03S R32E S31	Lot 2	SWNW	40.20	T03S R32E S31		SENE	40.00
T03S R32E S31		NESW	40.00	T03S R32E S31	Lot 3	NWSW	40.20
T03S R32E S31		NWSE	40.00				

Total Acres: 1300.6

Conditions of Approval:

1. 131 Prior to the diversion and use of water under Transfer approval 72696, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and 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.
2. X35 Rights 35-7488, 35-2685, 35-13046, 35-2599, 35-7489 and 35-7490 when combined shall not exceed a total diversion rate of 18.72 cfs, a total annual maximum diversion volume of 5168.4 af at the field headgate, and the irrigation of 1300.6 acres.
3. R02 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.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. R05 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. 120.
6. R55 This right is for water held in trust by the state and is subject to review to determine availability of water for the use and to reevaluate the public interest on or after February 5, 2010.
7. X27 This right is limited to the irrigation of 292 acres within the place of use described above in a single irrigation season.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

Licensed Date: 2/15/1993

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

Current Water Right No.: 35-2685

Current Owner: GRANDVIEW RANCH LLC

Priority Date: 8/14/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diverslon Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	3.66 CFS	1104 AF
	<u>Total Diversion</u>	3.66 CFS	1104 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4SW1/4 Sec. 25, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SE1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SW1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4SW1/4 Sec. 30, Twp 03S, Rge 32E B.M.
BINGHAM County	
GROUND WATER	SW1/4SE1/4NW1/4 Sec. 31, Twp 03S, Rge 32E B.M.
BINGHAM County	

Place of Use**IRRIGATION Within BINGHAM County**

T03S R31E S25		NESW	40.00	T03S R31E S25		NWSW	34.70
T03S R31E S25		SWSW	33.50	T03S R31E S25		SESW	33.40
T03S R31E S25		NESE	33.80	T03S R31E S25		NWSE	40.00
T03S R31E S25		SWSE	34.20	T03S R31E S25		SESE	33.30
T03S R31E S36		NENE	37.80	T03S R31E S36		NWNE	33.50
T03S R31E S36		SWNE	40.00	T03S R31E S36		SENE	40.00
T03S R31E S36		NENW	39.60	T03S R31E S36		NWNW	39.70
T03S R31E S36		SWNW	40.00	T03S R31E S36		SENW	20.50
T03S R31E S36		NESW	35.90	T03S R31E S36		NWSW	40.00
T03S R31E S36		SWSW	34.00	T03S R31E S36		SESW	34.20
T03S R31E S36		NESE	40.00	T03S R31E S36		NWSE	40.00
T03S R31E S36		SWSE	35.70	T03S R31E S36		SESE	32.50
T03S R32E S30		NESW	35.30	T03S R32E S30	Lot 3	NWSW	32.10
T03S R32E S30	Lot 4	SWSW	37.10	T03S R32E S30		SESW	39.60

T03S R32E S30	NWSE	3.60	T03S R32E S30	SWSE	5.90
T03S R32E S31	NWNE	6.80	T03S R32E S31	SWNE	38.80
T03S R32E S31	NENW	18.70	T03S R32E S31	Lot 1 NWNW	16.00
T03S R32E S31	Lot 2 SWNW	40.20	T03S R32E S31	SENE	40.00
T03S R32E S31	NESW	40.00	T03S R32E S31	Lot 3 NWSW	40.20
T03S R32E S31	NWSE	40.00			

Total Acres: 1300.6

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. X35 Rights 35-7488, 35-2685, 35-13046, 35-2599, 35-7489 and 35-7490 when combined shall not exceed a total diversion rate of 18.72 cfs, a total annual maximum diversion volume of 5168.4 af at the field headgate, and the irrigation of 1300.6 acres.
4. 131 Prior to the diversion and use of water under Transfer approval 72696, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
5. R02 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. R05 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. 120.
7. 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.
8. K01 Right No. 35-13046 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Rights 35-2685 and 35-13046 when combined shall not exceed a total diversion rate of 3.66 cfs, a total annual maximum diversion volume of 1252 af at the field headgate, and the irrigation of 313 acres.
10. X27 This right is limited to the irrigation of 276 acres within the place of use described above in a single irrigation season.
11. 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.

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

Current Water Right No.: 35-2599

Current Owner: GRANDVIEW RANCH LLC

Priority Date: 7/26/1960

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	04/01 to 11/01	2.01 CFS	854 AF
	<u>Total Diversion</u>	2.01 CFS	854 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4SW1/4 Sec. 25, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SE1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4NW1/4SW1/4 Sec. 36, Twp 03S, Rge 31E B.M.
BINGHAM County	
GROUND WATER	NE1/4SW1/4 Sec. 30, Twp 03S, Rge 32E B.M.
BINGHAM County	
GROUND WATER	SW1/4SE1/4NW1/4 Sec. 31, Twp 03S, Rge 32E B.M.
BINGHAM County	

Place of Use**IRRIGATION Within BINGHAM County**

T03S R31E S25	NESW	40.00	T03S R31E S25	NWSW	34.70	
T03S R31E S25	SWSW	33.50	T03S R31E S25	SESW	33.40	
T03S R31E S25	NESE	33.80	T03S R31E S25	NWSE	40.00	
T03S R31E S25	SWSE	34.20	T03S R31E S25	SESE	33.30	
T03S R31E S36	NENE	37.80	T03S R31E S36	NWNE	33.50	
T03S R31E S36	SWNE	40.00	T03S R31E S36	SENE	40.00	
T03S R31E S36	NENW	39.60	T03S R31E S36	NWNW	39.70	
T03S R31E S36	SWNW	40.00	T03S R31E S36	SENE	20.50	
T03S R31E S36	NESW	35.90	T03S R31E S36	NWSW	40.00	
T03S R31E S36	SWSW	34.00	T03S R31E S36	SESW	34.20	
T03S R31E S36	NESE	40.00	T03S R31E S36	NWSE	40.00	
T03S R31E S36	SWSE	35.70	T03S R31E S36	SESE	32.50	
T03S R32E S30	NESW	35.30	T03S R32E S30	Lot 3	NWSW	32.10
T03S R32E S30	Lot 4	SWSW	37.10	T03S R32E S30	SESW	39.60

T03S R32E S30	NWSE	3.60	T03S R32E S30	SWSE	5.90
T03S R32E S31	NWNE	6.80	T03S R32E S31	SWNE	38.80
T03S R32E S31	NENW	18.70	T03S R32E S31	Lot 1 NWNW	16.00
T03S R32E S31	Lot 2 SWNW	40.20	T03S R32E S31	SENE	40.00
T03S R32E S31	NESW	40.00	T03S R32E S31	Lot 3 NWSW	40.20
T03S R32E S31	NWSE	40.00			

Total Acres: 1300.6

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 131 Prior to the diversion and use of water under Transfer approval 72696, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
3. X27 This right is limited to the irrigation of 222 acres within the place of use described above in a single irrigation season.
4. R02 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. R05 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. 120.
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. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. X35 Rights 35-7488, 35-2685, 35-13046, 35-2599, 35-7489 and 35-7490 when combined shall not exceed a total diversion rate of 18.72 cfs, a total annual maximum diversion volume of 5168.4 af at the field headgate, and the irrigation of 1300.6 acres.
9. 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: 1/31/2002

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**.

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

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Prelim. Check by _____ Date _____

Fee Paid \$ 1860.00 Date 9/16/2011 Received by B/np Receipt # E036973

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77526Grandview Ranch
35-2599, et. al.
PPU Transfer 2011**APPLICATION FOR TRANSFER OF WATER RIGHT
MINIMUM REQUIREMENTS CHECKLIST**

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 and water right proof report or details report for Part 2A of the transfer application are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

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 Proof Report (obtained from Department) or Details Report (obtained on website) 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/water/rights/>.
- ☐ ☐ #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: Abandon 1 well, add new well, split rights and create permissible place of use.

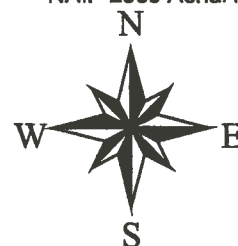
P.P.U. Acres

Current System Irrigation

JCH - 7/28/2011 0.25 0 0.25 0.5 Miles NAIP 2009 Aerial Photo N

(Scale: 4 inches equals 1 mile)

-  **Proposed New Well**
 **Existing Authorized Wells**
 **Grandview Ranch, LLC Proposed Place Of Use**
 **Townships**
 **Sections**
 **40's**



ATTACHMENT #7A

77520

RECEIVED

APR 05 2011

Department of Water Resource
Eastern Region



10801 Mastin Blvd.
Suite 930
Overland Park, KS 66210

MetLife

Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Barry L. Bogseth
Regional Director
Central Regional Office
Agricultural Investments

(913) 338-0629
(913) 231-9666 CELL
(913) 661-2267 FAX
bbogseth@metlife.com
www.metlife.com/ag

R Grandview Ranch – Application for Transfer of Water Rights

Dear Sir or Madam

Metropolitan Life Insurance Company has been asked to consent to the following Application for Transfer of Water Right:

Application #Unknown, Bingham County, covering Water Right No. 35-7490 (change point of diversion and change place of use)

To the extent that we have not previously communicated consent to you, please accept this letter as consent by Metropolitan Life Insurance Company to the changes requested as outlined above. Feel free to contact me if you have any questions.

Sincerely

Barry L. Bogseth
Regional Director

March 31, 2011

Copies to: Dwight Baker
Chad Brown

77526

No. W 34089	Due no later than Oct 31, 2011 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. GRANDVIEW RANCH, LLC DWIGHT E BAKER 266 W BRIDGE BLACKFOOT ID 83221		DWIGHT E BAKER 266 W BRIDGE BLACKFOOT ID 83221																					
		3. <u>New</u> Registered Agent Signature:*																						
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager. <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>MANAGER</td><td>DWIGHT E BAKER</td><td>266 W BRIDGE</td><td>BLACKFOOT</td><td>ID</td><td>USA</td><td>83221</td></tr> <tr> <td>MANAGER</td><td>JAMES W BAKER</td><td>1055 SW ENGLEWOOD</td><td>LAKE OSWEGO</td><td>OR</td><td>USA</td><td>97034</td></tr> </tbody> </table>				Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MANAGER	DWIGHT E BAKER	266 W BRIDGE	BLACKFOOT	ID	USA	83221	MANAGER	JAMES W BAKER	1055 SW ENGLEWOOD	LAKE OSWEGO	OR	USA	97034
Office Held	Name	Street or PO Address	City	State	Country	Postal Code																		
MANAGER	DWIGHT E BAKER	266 W BRIDGE	BLACKFOOT	ID	USA	83221																		
MANAGER	JAMES W BAKER	1055 SW ENGLEWOOD	LAKE OSWEGO	OR	USA	97034																		
5. Organized Under the Laws of: ID W 34089	6. Annual Report must be signed.* Signature: Dwight E Baker Name (type or print): Dwight E Baker																							
Processed 08/09/2011	* Electronically provided signatures are accepted as original signatures.																							

77526