



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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April 19, 2010

ADTD Farms
ATTN: Larry Gerratt
246 E 300 S
Burley, ID 8318

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

RE: App For Transfer 76323

Dear Larry;

Ownership records supplied to us by Cassia County last February show that ADT Farms owns the pivot ground west of your dairy and also east of your dairy. County records show that Midway Dairy owns the half pivot south of the dairy and the dairy itself. ADTD is not shown as owning any of this land, so it does not appear that they should be the applicant on this transfer. All the irrigation and dairy water rights on this land are still in the name of Ida Gold Farms LP, so they could quitclaim their interest in the dairy rights (43-2366B, 43-2375B and 43-2555B to Midway Dairy under a Change of Water Right Ownership for (\$75 total processing fee). To satisfy the transfer, you could quitclaim 14.88 percent of each irrigation right (43-2366A, 43-2375A and 43-2555A) to Midway Dairy (60.5 ac in the NW1/4 Sec. 13) and the rest to ADT. Just showing us that the same people are involved in the various entities is not sufficient.

We will hold your application until the ownership issue is resolved.

Regards,

James E. Stanton
Sr. Water Resource Agent