

WITHDRAWN

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73839APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant John W. Peterson Phone (208) 537-6705Post Office address P.O. Box 674, Castleford, Idaho 83321

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point ☐ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To provide a water supply for a proposed dairy
within the described place of use

RECEIVED
MAY 03 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Portion 47-2329 Priority 12/21/1959 Amount (cfs/ac-ft) 0.56/190 Nature of Use Stock/Comm Period of Use 01/01 to 12/31

2. Total amount of water being transferred 0.56 cubic feet per second and/or 190 acre-feet per annum.3. Source of water Ground Water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NE	SW	13	10S	12E	Twin Falls	Primary Well
	NW	NE	SW	13	10S	12E	Twin Falls	Backup Well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
09S	21E	06			S					S, C	S, C					S			

Total acres _____

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MAR 21 2007
WATER RESOURCES
WESTERN REGION

★ ¹ 51-13004 now
right re-numbered to Basin 51
during claim review of B47
- skip transfer to Western Region?
= 51-13004

PART 1

6. General Information:

- a. Description of diversion system Two wells will be drilled for the proposed dairy (one primary well and a backup well) and will both service the barn and corrals.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

62.9 acres will be dried up in the POU described under 47-2329

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

Page _____ of _____

Transfer No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 47-2329 issued by the Idaho Department of Water Resources.
- c. Claim No. 47-2329 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice ☒ Warranty Deed ☐ Other _____

3. Source of water Ground water tributary to _____

4. Date of priority 12/21/1959

5. Water is used for the following purpose:

Amount 2.18/--- for Irrigation purposes from 03/15 to 11/15
(cfs/ac-ft)

6. Total amount of water under right 2.18 cubic feet per second and/or --- acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	SE	SW	12	10S	12E	Twin Falls	Irrigation Well

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW ¼	SW 1/4	SE 1/4	
10S	12E	12								18	36.4	4.7	36	35		14.7	32.7		177.5
10S	12E	13		38	39	17	35.5	37.8		39.5	23.4				21.5	34.8			286.5

Total acres 464*

* When combined with water right 47-2290 this right will be limited to a combined diversion rate of 4.66 cfs, 1858 afa, and a total allowable acreage of 464. When used without 47-2290 this right is limited to a total allowed acreage of 245 acres and 982 afa. Historically this right has been used in a permissible place of use.

9. Describe any other water rights used for the same purpose as described above 47-2290

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes If yes, describe The farm was in the Conservation Reserve Program for 10 yrs

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(if the entire right is to be changed by the applicant, omit part B and C)*

1. Amount 0.56/190 for Irrigation purposes from 03/15 to 11/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	SE	SW	12	10S	12E	Twin Falls	Irrigation Well

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
10S	12E	12																	
10S	12E	13			6					18.4	23.4					15.1			62.9

Total acres 62.9*

*The right will be allowed to irrigate 62.9 acres within the described place of use.

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount 1.62/792 for Irrigation purposes from 03/15 to 11/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	SE	SW	12	10S	12E	Twin Falls	Irrigation Well

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
10S	12E	12								18	36.4	4.7	36	35		14.7	32.7		177.5
10S	12E	13		38	33	17	35.5	37.8		21.1					21.5	19.7			223.6

Total acres 401.1*

* When combined with water right 47-2290 this right will be limited to a combined diversion rate of 4.1 cfs, 1668 afa, and a total allowable acreage of 401.1. When used without 47-2290 this right is limited to a total allowed acreage of 182.1 acres and 792 afa.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

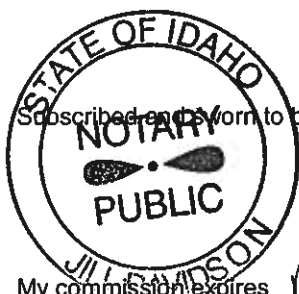
See Attached Figure for Transfer: Proposed Peterson Dairy & POU for 47-2290 and the remaining portion of 47-2329

B. CHANGES IN NATURE OF USE

- | 1. <u>New Nature of Use</u> | Amount
(cfs/ac-ft) | Hours/days/year | Period of Use |
|------------------------------|-----------------------|------------------|------------------------------|
| <u>Stockwater/Commercial</u> | <u>0.56/190</u> | <u>as needed</u> | <u>01/01</u> to <u>12/31</u> |
2. Quantity and quality of return flows and location of discharge:
IDWR considers stockwater/commercial use at dairies as fully consumptive.
3. Describe the effects on other water uses resulting from the proposed change:
None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



Subscribed and sworn to before me this

1st

day of

May

11 2006

(Signature of Applicant)

(Notary Public)

My commission expires

November 18, 2010

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by YB Date 3-21-07 Protest filed by _____

Prelim. check by _____ Fee \$250⁰⁰ _____

Receipted by ADN Date 5/3/06 5028608 _____

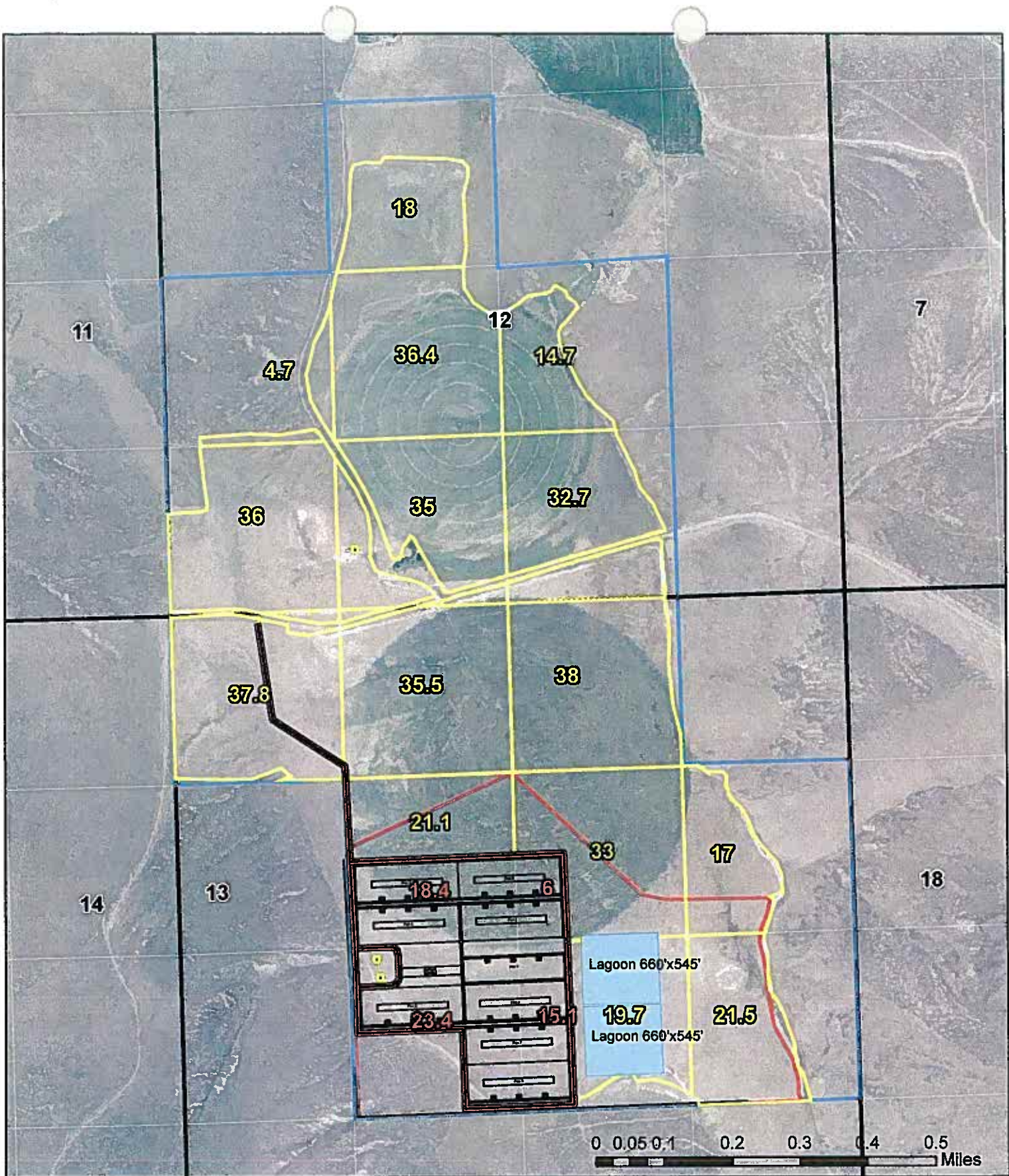
Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____



Peterson Dairy Transfer

Township 10S, Range 12E, Sections 12 & 13
NAIP 2004 Aerial Photo

Brockway Engineering, PLLC
DTN - 03/10/2006



PLS - Sections

PLS - Quarter Quarter



Deeded Land



CAD Dairy



Wells



TFR-Acres

21.1 Allowed Acres

18.4 Acres Being Dried Up



Dairy Facility Water Use and Runoff Calculations
 Prepared By
Bob Ohlensehler Certified Nutrient Management Planner
 Nutrient Management Solutions, LLC.

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MAY 03 2006
 Legal Description
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Estimate for **Rockridge Dairy - New Construction Proposal**

Number of Milking Animals.....	3,000	Head	Number of Dry Cows.....	501	Head
Weight of Mature Animals.....	1,400	Pounds			
Number of Heifers.....	-	Head			
Average Weight of Heifers.....	-	Pounds			

	Head	Animal Units	
Cows	3,500	4,900	An.Units
Heifers	-	-	An.Units

Type of milking parlor being used.....	Parallel	Number of stalls per side in parlor.....	50	head
Times per day cows are milked.....	3	Size of holding pen.....	400	head

Type of Separator Being Used.....	Gravity Settling Basin	60% Separation	
Manure from Mature Animals Handled as Liquid.....	Parlor and Holding Pen	15.0%	of Total
Manure from Heifers Handled as Liquid.....	None	0.0%	of Total
Daily manure stored as a liquid from the milking herd.....		382	Cu. Ft.
Daily separated solids that must be handled from the milking herd.....		573	Cu. Ft.
Daily manure handled as solids from milking herd.....		5,415	Cu. Ft.
Type of housing used for milking herd.....	Openlot	Daily Bedding.....	23 Tons
Type of bedding used for milking herd.....	Long Straw		10,290 Cu. Ft.
Type of housing used for replacement animals.....	Openlot	Daily Bedding.....	- Tons
Type of bedding used for replacement animals.....	Long Straw		- Cu. Ft.

Number of sprinklers in washpen.....	204	Output...	4.98 gpm	Minutes used per cycle.....	0
Percent of the time sprinklers used.....	83%	Additional water used to clean holding pen.....			13,500
Water used to flush holding pen.....	-				

Barn Water Use	Daily Gallons	Cu. Ft.		Daily Gallons	Cu. Ft.
Milk House Cleaning.....	100	13.4	Backflush System Water.....	4,499	602
Pipeline Cleaning.....	2,100	280.7	Cow Prep Water.....	4,499	602
Bulk Tank Cleaning.....	1,100	147.1	Wash Pen Sprinklers.....	-	-
Miscellaneous Cleaning.....	100	13.4	Wash Pen Cleaning/Flush.....	13,500	1,805
Parlor Floor Cleaning.....	1,500	200.5	Calf Bottle Clean-up Water....	-	-
Parlor Deck Flush.....	25,000	3,342.2	Total Process Water Daily.....	57,799	7,727
Parlor Spray Flush.....	5,400	721.9			

83% Utilization

	<u>Amt Required Daily for Recycled Uses.....</u>	<u>Gallons</u>	<u>Cu. Ft.</u>
Recycled water is used for	Parlor, Holding Pen & Cow Drinking	178,518	23,866.0

Water Source and Amount Being Recycled

Milk Cooling Water.....	87,790	11,736.7
Chiller Cooling Water.....	-	-
Equipment Cooling Water.....	-	-
Total Daily Water to be Recycled.....	87,790	11,736.7
All Water Will Be Recycled	-	-
Total Process Water To Be Stored Daily.....	57,799	7,727.1
Gallons of Process Water Per Cow Per Day.....	19	gallons
Drinking Water Per Day..... Cows.....	111,489	gallons
Heifers.....	-	gallons
Annual Process Water.....	65	Acres Feet
Annual Animal Drinking Water.....	125	Acres Feet
Annual Water Use.....	190	Acres Feet
		% of Total
		34.1%
		65.9%

Runoff Areas

	Length	Width	Slope	Area	Paved	25yr 24hr	Winter	Total	
Area 1	1,700	2,000	0	3,400,000	F	538,333	1,977,667	2,516,000	Corral Area
Area 2	800	1,000	0	800,000	T	126,667	465,333	592,000	Feed Storage
Area 3	-	-	-	-	-	-	-	-	Feed Storage
Area 4	-	-	-	-	-	-	-	-	
Area 5	-	-	-	-	-	-	-	-	
Area 6	-	-	-	-	-	-	-	-	
Area 7	-	-	-	-	-	-	-	-	
Area 8	-	-	-	-	-	-	-	-	
Area 9	-	-	-	-	-	-	-	-	
Area 10	-	-	-	-	-	-	-	-	

Storage Requirements Precipitation Events.....	665,000	2,443,000	3,108,000	Cu Ft
Total Area Contributing Runoff.....	4,200,000	Sq Ft or	96.4	Acres
Total Manure Stored as a Liquid.....			68,796	Cu Ft
Process Water and Manure Stored.....			1,390,873	Cu Ft
Total Storage Needed.....			4,567,669	Cu Ft

Storage Calculations for Runoff and Process Water

Rockridge Dairy - New Construction Proposal

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MAY 03 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

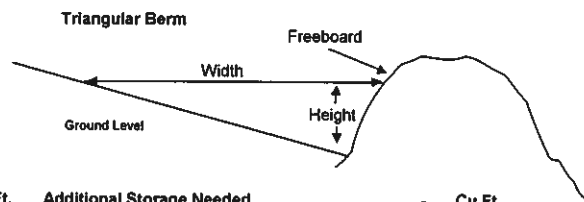
Total Storage Needed.....	4,567,669	Cu.Ft.		
Storage 1			20% oversize	
Storage Required in this structure.....	4,567,669	Cu. Ft.	5,481,203	Cu. Ft.
Number of Cells in the Storage.....	2		2	
Width of Storage Cells.....	600 Feet		600 Feet	
Length of Storage Cells.....	545 Feet		654 Feet	
Depth of Storage Cells.....	10 Feet		10 Feet	
Freeboard for Storage.....	2 Feet		2 Feet	
Side Slope of Interior Walls.....	3 to 1		3 to 1	
Total Amount of Storage in this Structure.....	4,593,216	Cu. Ft.	Additional Storage Needed.....	- Cu.Ft.

Storage 2				
Storage Required in this structure.....	-	Cu. Ft.		
Number of Cells in the Lagoon.....	0			
Width of Lagoon Cells.....	0 Feet			
Length of Lagoon Cells.....	0 Feet			
Depth of Lagoon Cells.....	0 Feet			
Freeboard for Lagoon.....	0 Feet			
Side Slope of Interior Walls.....	0 to 1			
Total Amount of Storage in this Structure.....	-	Cu. Ft.	Additional Storage Needed.....	- Cu.Ft.

Storage 3				
Storage Required in this structure.....	-	Cu. Ft.		
Number of Cells in the Lagoon.....	0			
Width of Lagoon Cells.....	0 Feet			
Length of Lagoon Cells.....	0 Feet			
Depth of Lagoon Cells.....	0 Feet			
Freeboard for Lagoon.....	0 Feet			
Side Slope of Interior Walls.....	0 to 1			
Total Amount of Storage in this Structure.....	-	Cu. Ft.	Additional Storage Needed.....	- Cu.Ft.

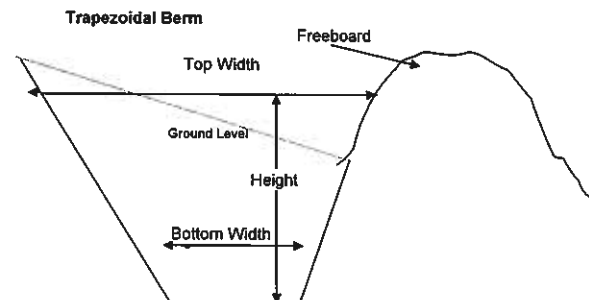
Containment Berm

Triangular Berm 1				
Storage Required in this structure.....	-	Cu. Ft.		
Height of Triangular Berm.....	0 Feet			
Freeboard for Triangular Berm.....	0 Feet			
Width Water is Backed Up by Berm.....	0 Feet			
Length of Triangular Berm.....	0 Feet			
Total Amount of Storage in this Structure.....	-	Cu. Ft.	Additional Storage Needed.....	- Cu.Ft.

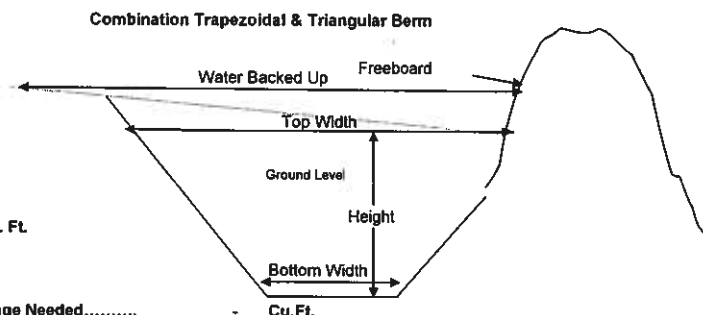


Triangular Berm 2				
Storage Required in this structure.....	-	Cu. Ft.		
Height of Triangular Berm.....	0 Feet			
Freeboard for Triangular Berm.....	0 Feet			
Width Water is Backed Up by Berm.....	0 Feet			
Length of Triangular Berm.....	0 Feet			
Total Amount of Storage in this Structure.....	-	Cu. Ft.	Additional Storage Needed.....	- Cu.Ft.

Trapezoidal Berm				
Storage Required in this structure.....	-	Cu. Ft.		
Height from bottom of structure to Top of Berm.....	0 Feet			
Freeboard for Berm.....	0 Feet			
Bottom Width of Trapezoidal Storage.....	0 Feet			
Top Width of Trapezoidal Storage.....	0 Feet			
Length of Trapezoidal Storage.....	0 Feet			
Total Amount of Storage in this Structure.....	-	Cu. Ft.	Additional Storage Needed.....	- Cu.Ft.



Combination Trapezoidal Berm Plus Triangle Berm Storage				
Storage Required in this structure.....	-	Cu. Ft.		
Height from bottom of structure to Top of Berm.....	0 Feet			
Depth of the Trapezoidal Portion of the Structure.....	0 Feet			
Freeboard for Berm.....	0 Feet			
Bottom Width of Trapezoidal Storage.....	0 Feet			
Top Width of Trapezoidal Storage.....	0 Feet			
Length of Trapezoidal Storage.....	0 Feet			
Width Water is Backed Up by Berm.....	0 Feet			
Total Amount of Storage in this Structure.....	-	Cu. Ft.	Additional Storage Needed.....	- Cu.Ft.



Total Storage Provided..... 4,593,216 Cu. Ft.
Additional Storage Required..... (25,547) Cu. Ft. EXCESS STORAGE

Idaho Department of Water Resources Receipt

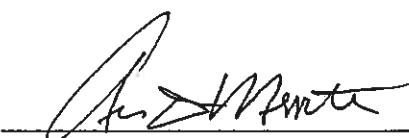
Receipt ID S028608

Payment Amount \$250.00 Date Received 5/3/2006 1:22:14 PM Region Southern Status
 Payment Type Check Check Number 6315

Payer BROCKWAY ENGINEERING, PLLC
 Comment For John Peterson Transfer

Fee Detail

Amount Description Fund FD PCA SO
\$250.00 TRANSFERS 0229 21 64106 1155


 Signature Line (Dept. Representative)

BROCKWAY ENGINEERING, PLLC
 2016 WASHINGTON STREET N. STE. 4 PH. 208-736-8543
 TWIN FALLS, ID 83301

FIRST FEDERAL
 MAIN OFFICE
 383 SHOSHONE STREET NORTH-BOX 249
 TWIN FALLS, IDAHO 83301

6315

92-7017-3241

5/2/2006

\$ **250.00

PAY TO THE ORDER OF IDWR

DOLLARS

Two Hundred Fifty and 00/100*****

IDWR
 1341 Fillmore Street, Suite 200
 Twin Falls, ID 83301

MEMO

WR Transfer - John Peterson

11006315 1324170179 10038279

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-2329 V1

WATER RIGHT NUMBER: 47-2329 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN W PETERSON PO BOX 674 CASTLEFORD, ID 83321 (208)537-6705
Original Owner	CANYON VIEW IRRIGATION CO PO BOX 411 TWIN FALLS, ID 83303-0411 (208)734-5380

Priority Date: 12/21/1959

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.180 CFS	982.00 AF
	<u>Total Diversion:</u>	2.180 CFS	982.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SW1/4	Sec. 12, Twp 10S, Rge 12E, B.M.
TWIN FALLS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	12E	12									2.0	4.0	15.0	8.0					29.0
10S	12E	13			10.0		40.0	40.0		38.0	22.0				28.0	38.0			216.0

Total Acres: 245

Conditions of Approval:

1. AC. IRR. = 245.4.
OWNERSHIP CHANGE MADE 3-10-95 BY TLB. CANYON VIEW-FORMER OWNER,
PETERSON-NEW OWNER. WARRANTY DEED INCLUDED.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-2329 V1

Comments:

1. THORNTON 6/16/1992 CLAIM REVIEW

Comment: THIS CLAIM WAS REVIEWED AS A PART OF THE BASIN 51 BLUE GULCH CGWA CLAIM REVIEW. THE CVR HAS BEEN COMPLETED AND IS IN THE FILE, HOWEVER, NOT DATA ENTRY EXCEPT FOR THIS COMMENT HAS BEEN DONE.

2. TBACKLUN 3/10/1995 COPIED FROM REMARKS

Comment: AC. IRR. = 245.4.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

07/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-2290 V1

WATER RIGHT NUMBER: 47-2290 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN W PETERSON PO BOX 674 CASTLEFORD, ID 83321 (208)537-6705
Original Owner	CANYON VIEW IRRIGATION CO PO BOX 411 TWIN FALLS, ID 83303-0411 (208)734-5380

Priority Date: 07/29/1955

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.480 CFS	
<u>Total Diversion:</u>		2.480 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SW1/4	Sec. 12, Twp 10S, Rge 12E, B.M.
TWIN FALLS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10S	12E	12	20.0	30.0	25.0	25.0	135.0
10S	12E	13	38.0	30.0	16.0		84.0

Total Acres: 219

Conditions of Approval:

1. TWO WELLS AT THE P/D.
OWNERSHIP CHANGE MADE 3-10-95 BY TLB.
CANYON VIEW-FORMER OWNER, PETERSON-NEW OWNER. WARRANTY DEED INCLUDED.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-2290 V1

Comments:

1. THORNTON 6/16/1992 CLAIM REVIEW

Comment: THIS CLAIM WAS REVIEWED AS A PART OF THE BASIN 51 BLUE GULCH CGWA REVIEW. THE CVR HAS BEEN COMPLETED AND IS IN THE FILE, BUT NO DATA ENTRY EXCEPT FOR THIS THIS COMMENT HAS BEEN DONE.

2. TBACKLUN 3/10/1995 COPIED FROM REMARKS

Comment: TWO WELLS AT THE P/D. OWNERSHIP CHANGE MADE 3-10-95 BY TLB. CANYON VIEW-FORMER OWNER, PETERSON-NEW OWNER. WARRANTY DEED INCLUDED.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-2329 V1

WATER RIGHT NUMBER: 47-2329 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CANYON VIEW IRRIGATION CO PO BOX 411 TWIN FALLS, ID 83303-0411 (208)734-5380
Current Owner	JOHN W PETERSON PO BOX 674 CASTLEFORD, ID 83321 (208)537-6705

Priority Date: 12/21/1959

Basis: License

Status: Parent

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.180 CFS	982.00 AF
<u>Total Diversion:</u>		2.180 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SW1/4	Sec. 12, Twp 10S, Rge 12E, B.M.
TWIN FALLS County		
GROUND WATER	SW1/4SE1/4SW1/4	Sec. 12, Twp 10S, Rge 12E, B.M.
TWIN FALLS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	12E	12								17.0	38.0	4.0	32.0	35.0		14.0	33.0		173.0
10S	12E	13		39.0	40.0	18.0	36.0	38.0		40.0	24.0				22.0	34.0			291.0

Total Acres: 464

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E53 Right Nos. 47-2290 and 47-2329 are limited to a total combined annual diversion volume of 1,856 AF.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-2329 V1

3. E56 The rights listed below are limited to the irrigation of a combined total of 464 acres in a single irrigation season. Combined Right Nos.: 47-2329 and 47-2290.
4. K06 This right is limited to the irrigation of 245.4 acres within the place of use described above in a single irrigation season.
5. This right was renumbered to right 51-13004 .

Remarks:

Comments:

1. THORNTON 6/16/1992 CLAIM REVIEW

Comment: THIS CLAIM WAS REVIEWED AS A PART OF THE BASIN 51 BLUE GULCH CGWA CLAIM REVIEW. THE CVR HAS BEEN COMPLETED AND IS IN THE FILE, HOWEVER, NOT DATA ENTRY EXCEPT FOR THIS COMMENT HAS BEEN DONE.

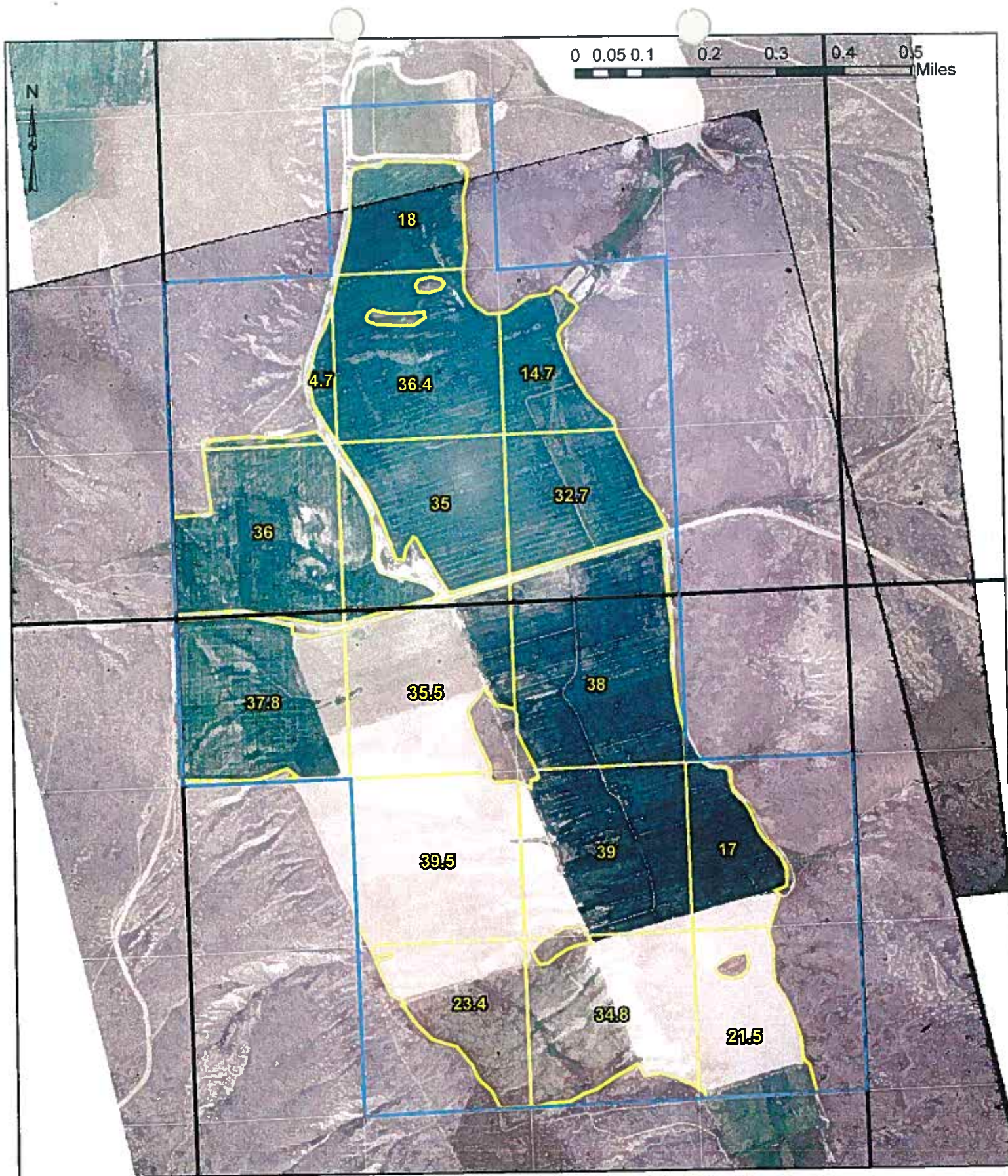
2. TBACKLUN 3/10/1995 COPIED FROM REMARKS

Comment: AC. IRR. = 245.4.

3. Renumber 12/22/2006 10:02:34 AM Renumber WR 47-2329

Comment: This has been renumbered to 51-13004

Water Supply Bank:



1980 Historical Irrigation: 47-2290 & 47-2329

Township 10S, Range 12E, Sections 12 & 13
Rectified 1980 FSA Aerial Photo's

PLS - Quarter Quarter

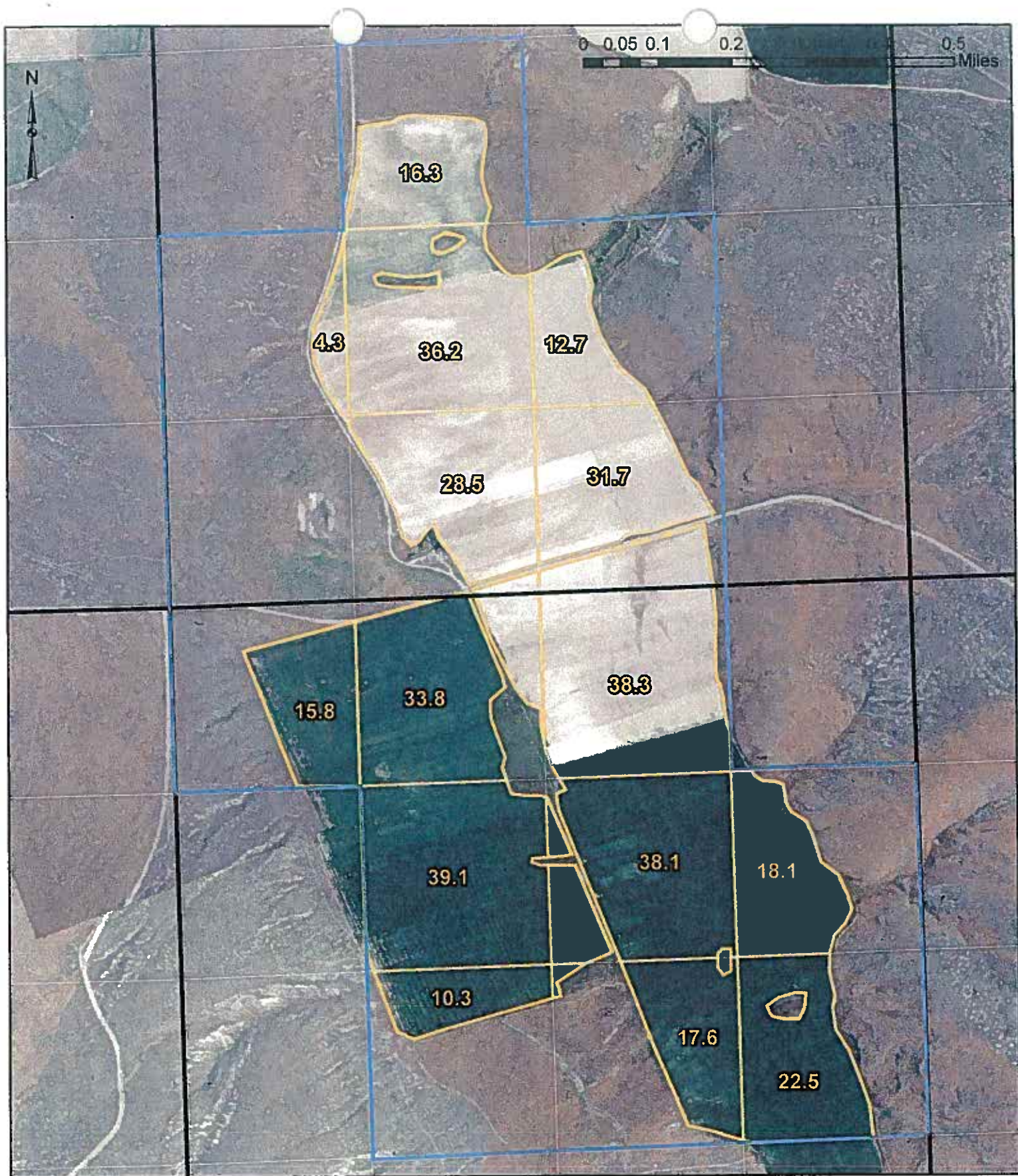
PLS - Sections

Deeded Land

1980 IRR Clip 40

Total WR Acreage
164 Acres

Brockway Engineering, PLLC



1986 Historical Irrigation: 47-2290 & 47-2329

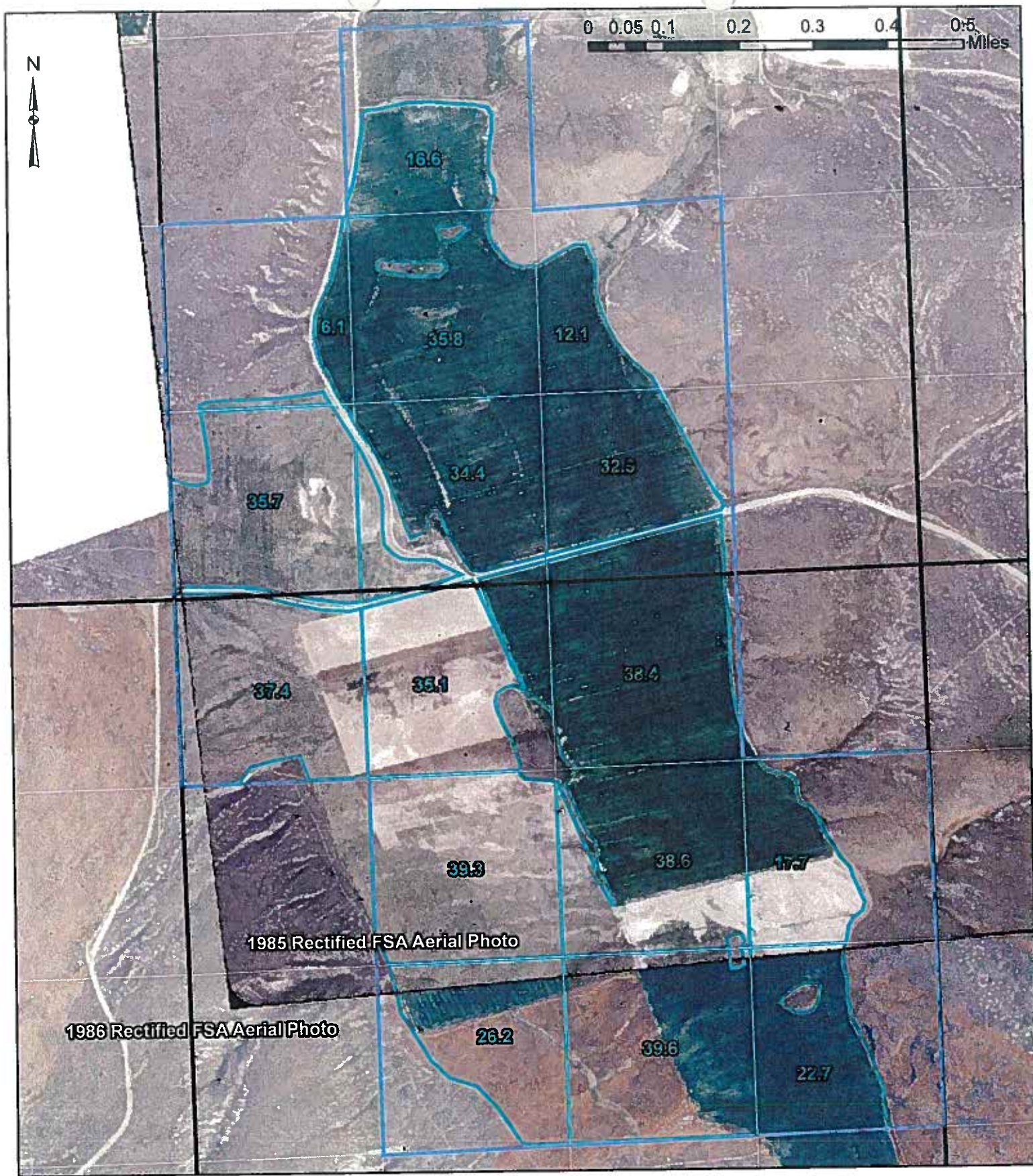
Township 10S, Range 12E, Sections 12 & 13
Rectified FSA Aerial Photo's

 PLS - Sections
 PLS - Quarter Quarter

 Deeded Land
 1986 IRR Clip 40

Brockway Engineering, PLLC
DTN - 03/03/2006

~ Total Irrigated
Acres is 363



1985-86 Historical Irrigation: 47-2290 & 47-2329

Township 10S, Range 12E, Sections 12 & 13
Rectified FSA Aerial Photo's



PLS - Sections

PLS - Quarter Quarter



Deeded Land



1985 IRR Clip 40

~ Total Irrigated



1987 Historical Irrigation: 47-2290 & 47-2329

Township 10S, Range 12E, Sections 12 & 13
Rectified FSA Aerial Photo's

PLS - Sections

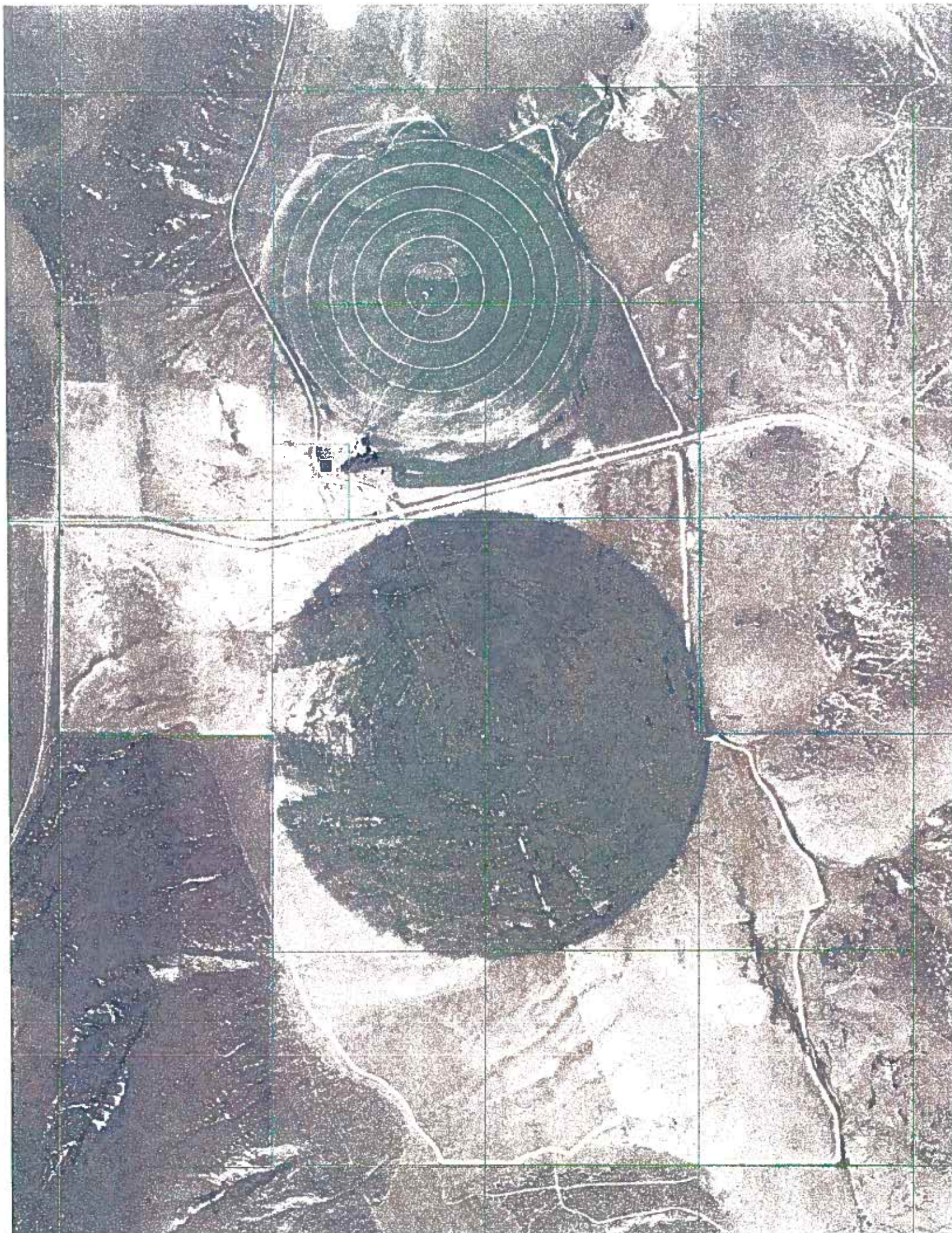
PLS - Quarter Quarter

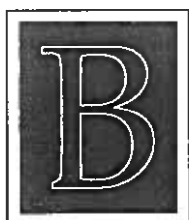
Deeded Land

1987 IRR Clip 40

~ Total Irrigated

Brockway Engineering, PLLC





BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

May 1, 2006

Allen Merritt
Idaho Department of Water Resources
Southern Region Office
1341 Fillmore, Suite 200
Twin Falls, ID 83301

RECEIVED
CK # 6315
MAY 03 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Peterson, John - Transfer for Proposed Dairy and Amended Claims

Dear Allen:

Please find the enclosed Application for Transfer of Water Right and Amended Claims submitted on behalf of John Peterson. Mr. Peterson is proposing to transfer a portion of water right number 47-2329 for use in an proposed dairy in Township 10S, Range 12E, Section 13. However, since the current claims that were submitted to IDWR prior to John Peterson's ownership of this property do not reflect what was occurring on the property when the water rights were claimed we are slightly amending these claims. We are proposing that the water rights be considered a permissible place of use at the time of the claims.

Two water rights are appurtenant to the farm that was obtained by John Peterson (47-2290 and 472329). The rights are both licenses that were claimed in the SRBA in 1989. 47-2290 is a ground water right that was previously licensed for 2.48 cfs in 05/22/1979 for a total of 219 acres, and 47-2329 is another ground water right that was previously licensed for 2.18 cfs on 05/22/1979 for a total of 245 acres. The two water rights are not stacked and the total combined diversion rate would equal 4.66 cfs and a combined irrigated acre limit of 464 acres.

The former owner, Canyon View Irrigation Company, entered this farm into the Conservation Reserve Program in 04/01/1987. However, prior to this time the prior owners did not irrigate all of the property in which the original licenses covered. Our office was able to obtain all of the historical aerial photos available for the farm during this time from the local FSA office during 1980-1987. However, the office only had photos in 1980, 1985, 1986, and 1987. From these photos we see that in 1980 the entire farm (464 acres) was irrigated (see Figure:1980 Historical Irrigation). However, from 1980 to 1987 approximately 100 acres were no longer being irrigated (see Figure:1987 Historical Irrigation). In 1985 ~ 66 acres to in the western portion of the farm still may have still been irrigated, but ~ 34 acres to the southwest may have been fallow (see Figure:1985 Historical Irrigation). It is unknown when these ~34 acres were no longer irrigated during 1980-1987 period.

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



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

May 1, 2006

Allen Merritt
Idaho Department of Water Resources
Southern Region Office
1341 Fillmore, Suite 200
Twin Falls, ID 83301

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RECEIVED
CK # 6315
MAY 03 2006
DEPT. OF WATER RESOURCES
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We are claiming that the recommendations for these rights should be based on the irrigation that occurred in 1980 and not the 1987 aerial photos that are usually used to calculate the irrigation of the property. We are claiming that this vintage of photos be used because we do not believe that the 1987 aerial photos accurately demonstrate the number of acres that should be available of the property, and that the 1980 aerial photo better demonstrates the irrigation of the property. With the calculation from the 1980 aerial photo approximately 464 acres were irrigated with these water rights from the existing well located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, of Sect 12, Twp 10S, Rng 12E.

It is also being proposed that a portion of water right 47-2329 be transferred for use at a proposed dairy located on the property. As before mentioned these water rights have historically have been used to irrigate ~ 464 acres. The transfer is proposing to dry up approximately 62.9 acres of these applicable water rights in order to provide 190 afa for the dairy. There are no crop records recorded for the property from FSA; therefore, Mr. John Peterson has signed an affidavit regarding the irrigation of the property. Since the termination of the CRP contract in 1997 Mr. Peterson has redeveloped the property and started to irrigate the property at that time (see attached affidavit). Since, the installation of the pivots that are now at the property Mr. Peterson has applied the water from these rights for irrigated pasture. The consumptive irrigation requirement for irrigated pasture near Castleford, Idaho is 3.02 ac-ft/ac.

According to Bob Ohlensehlen of Nutrient Management Solutions, LLC the proposed dairy would require approximately 190 ac-ft in order to supply enough water for the commercial and stockwater portion of the dairy (see attached Water Requirements Spreadsheet). Using the CIR value of 3.02 ac-ft/ac the dairy would need to dry up 62.9 ac. The footprint for the proposed dairy, the lagoons, and feed/manure storage areas will equal over 156 acres, in which are applicable to the appurtenant water rights. However, Only 62.9 ac will be dried up in the transfer. After the proposed transfer is approved the remaining portions of the water rights that are not utilized for irrigation on other portions of the farm will be submitted to the water bank until it is determined how these excess acres covered by the water rights can be utilized on the property or at another location.

Two new wells will be drilled for the proposed dairy and will be located near the barn. Since, these water rights are outside of the approved ground water model for the Eastern Snake River Plain Aquifer an analysis was not made with this model.

We are claiming that the recommendations for these rights should be based on the irrigation that occurred in 1980 and not the 1987 aerial photos that are usually used to calculate the irrigation of the property. We are claiming that this vintage of photos be used because we do not believe that the 1987 aerial photos accurately demonstrate the number of acres that should be available of the property, and that the 1980 aerial photo better demonstrates the irrigation of the property. With the calculation from the 1980 aerial photo approximately 464 acres were irrigated with these water rights from the existing well located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, of Sect 12, Twp 10S, Rng 12E.

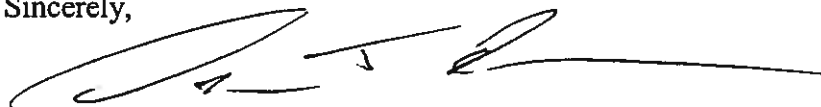
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Two new wells will be drilled for the proposed dairy and will be located near the barn. Since, these water rights are outside of the approved ground water model for the Eastern Snake River Plain Aquifer an analysis was not made with this model.

I have also included a limited power of attorney regarding this transfer and a check for a total of \$250.00 to cover the costs of the transfer fee. If you or the agent processing these transactions has any questions regarding the transfer or amended claims, please feel free to give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daren T. Nelson', with a long horizontal flourish extending to the right.

Daren T. Nelson, Hydrologist

Attachments: Amended Claims for 47-2990 & 47-2329
App. of Transfer: John Peterson – 47-2329
Limited Power of Attorney
NMS: Water Requirement Spreadsheet
Affidavit from John Peterson
Figures re: Historical Irrigation 1980-1987
Figure re: Transfer for Dairy

cc: Reagan Hatch
John Peterson
Steve Peterson
Bill Vander Pol

RECEIVED

MAY 03 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, John W. Peterson, hereby nominate and appoint Brockway Engineering, PLLC
(Daren T. Nelson) as my attorney-in-fact with full authority to act for and on my
behalf to undertake any and all acts or matters pertaining to water right transfers and claims
before the Idaho Department of Water Resources for the following water right transactions:

Transfer, amendment of claims, and water bank applications regarding 47-2990
& 47-2329 or portion thereof

in Twin Falls County, Idaho. Additionally, I hereby ratify and confirm any
and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said
instruments of writing that may be necessary or proper to carry into execution and effect the
applications, and transfers above-mentioned. Further, I hereby declare that each and every
application, transfer, agreement, receipt, or payment which shall be by my said agent given,
made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at
all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or
concerning the said premises by virtue of these present. This Limited Power of Attorney will
become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 1st day of May 2006 ^{W.S.}

John W. Peterson

Signature

State of Idaho)

County of Twin Falls)

ss.

On this 1st Day of May, 2006, before me, a Notary Public
in and for said County and State, personally appeared John W. Peterson,
known or identified to me to be the individual whose name and subscription to the within
instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year in this certificate first above written.

S
E
A
L



Jill Davidson
Notary Public

In and for said State and County

November 18, 2010
My Commission Expires

RECEIVED

FEB 13 1995

Department of Water Resources
Southern Region

RECEIVED

MAY 03 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

P.O. Box 486
Twin Falls, Idaho 83303

1994 AUG 25 P 1:05

19940153211

***** SPACE ABOVE FOR RECORDER *****

35729ml

RECORDS
300 CF

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED CANYON VIEW IRRIGATION COMPANY, an Idaho corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto JOHN W. PETERSON AND CATHERINE EILEEN PETERSON, husband and wife, Grantee, whose address is: P.O. BOX 674, CASTLEFORD, ID 83321 the following described real estate, situated in Twin Falls County, Idaho, to-wit:

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 12: SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

Township 10 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho
Section 13: NW $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its Vice-President and its Secretary.

Dated: August 18, 1994

CANYON VIEW IRRIGATION COMPANY, an Idaho corporation

By: David M. Cooper
DAVID M. COOPER VICE-PRESIDENT

ATTEST: Kenneth W. Marshall
KENNETH W. MARSHALL, SECRETARY

STATE OF IDAHO
County of Twin Falls

On this 23 day of AUGUST, 1994, before me, the undersigned, Notary Public in and for said State, personally appeared DAVID M. COOPER AND KENNETH W. MARSHALL, known to me to be the Vice-President and Secretary of the said corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written

David M. Cooper
Notary Public for Idaho
Residing at: 2011 Twin Falls
My Commission expires: 9-3-99

10-19-99

RECEIVED

FEB 13 1995

Department of Water Resources
Southern Region

RECEIVED

MAY 03 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

P.O. Box 486
Twin Falls, Idaho 83303

1994 AUG 25 P 1:05

19940153211

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35729ml

FILED
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CF

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SUBJECT TO: Twin Falls County Highway Right of Way

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STATE OF IDAHO
County of Twin Falls

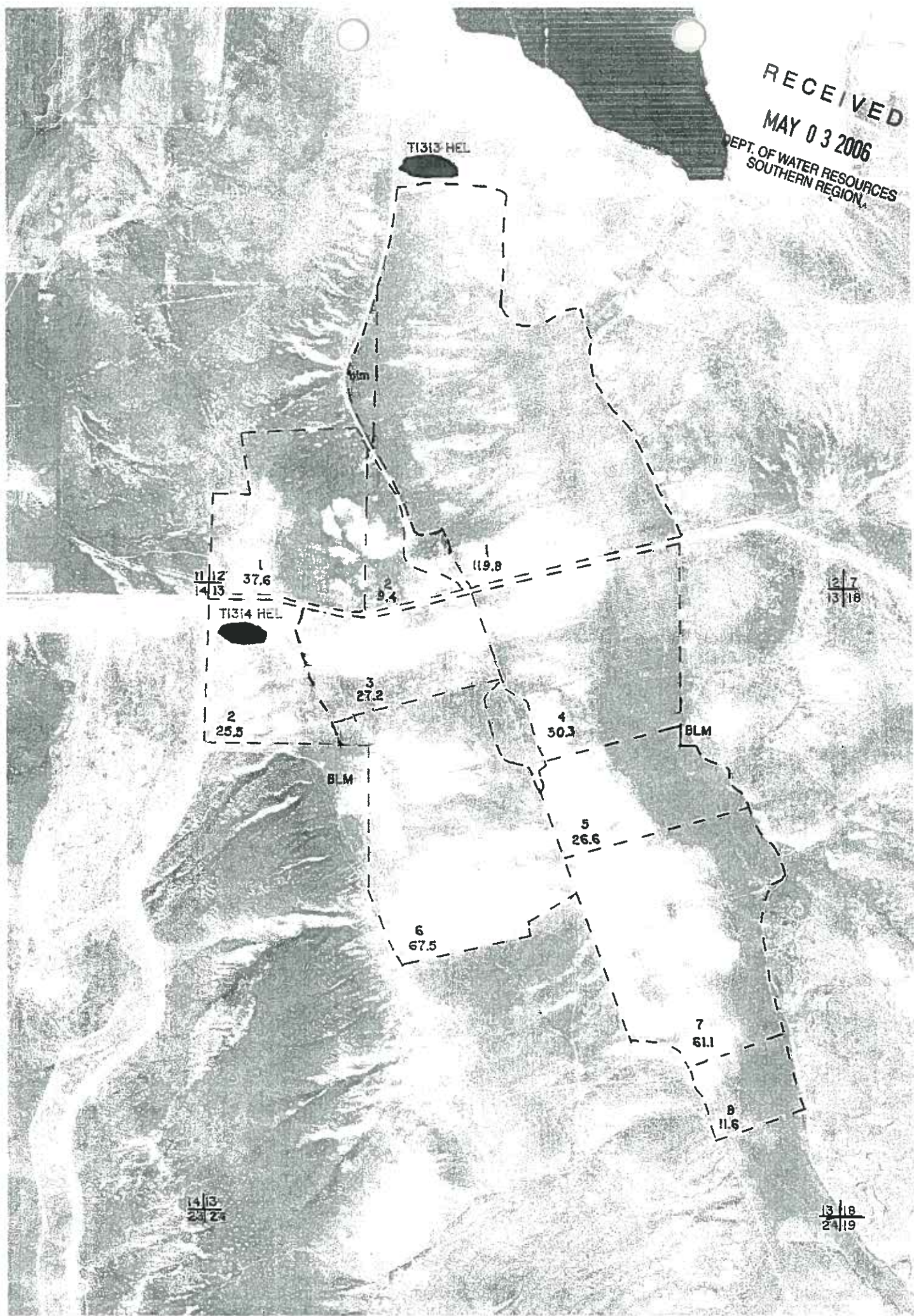
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David M. Cooper
Notary Public for Idaho
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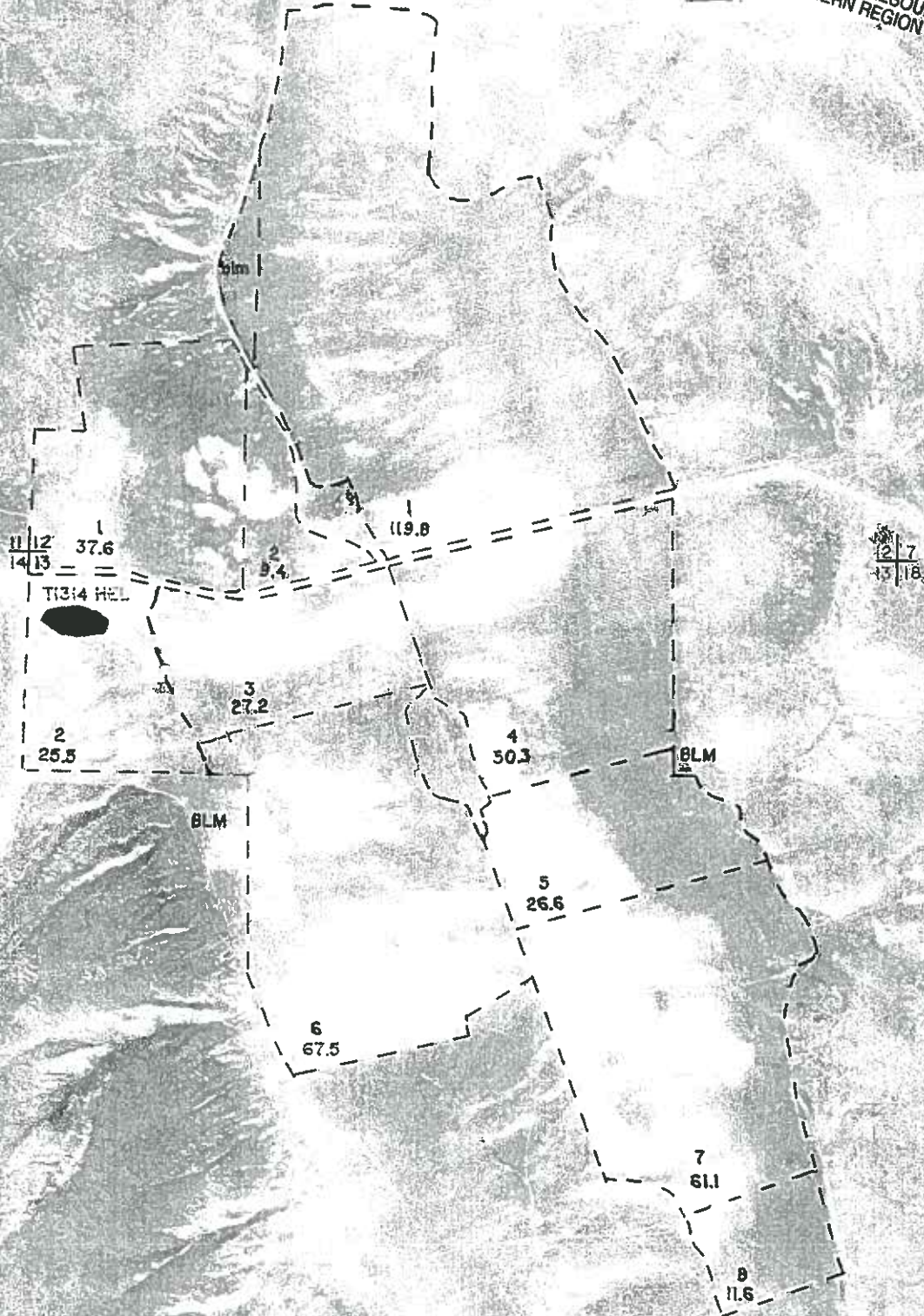
RECEIVED
MAY 03 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION



RECEIVED
MAY 03 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

T1313-HEL



12/7
13/18

14/13
23/24

13/18
24/19

CRP-1
(02-21-86)U.S. DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service
Commodity Credit Corporation

ST. & CO. CODE & C/D

2. CONTRACT NO.
45

CONSERVATION RESERVE PROGRAM CONTRACT

16 083 9

3. FARM NO.
2891

NOTE: The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and the regulations promulgated thereunder (7 CFR Part 704) and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court, magistrate, or administrative tribunal. Furnishing of the Social Security Number (SSN) is mandatory. Furnishing all other information is voluntary; however, failure to furnish the correct, complete information requested will result in rejection of the offer to enter into the contract.

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners and operators (referred to as "Owner" and "Operator", respectively) on the farm identified above (referred to as "Farm") for the fields and acres (referred to as "designated acreage") identified in Items 8-17 below and on the CRP-1A Addendum, as applicable. The Owner and Operator agree to place the designated acreage into the Conservation Reserve Program ("CRP") for a period of 10 crop years from the date the Contract is executed by the CCC. The Owner and Operator also agree to implement on such designated acreage the Conservation Plan developed for such designated acreage and approved by the applicable local conservation district based upon the conservation practices identified in Items 10 and 15 below and in Items 4 and 9 on the CRP-1A Addendum or such other conservation practices as are identified in the Conservation Plan and agreed to by the Owner and Operator. The Owner and Operator and CCC agree to comply with the terms and conditions contained in this Contract and contained in the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, each Owner and Operator acknowledges that a copy of the Appendix has been provided to the Owner and Operator and that the Owner and Operator has signed the last page of such Appendix which will be kept on file in the County Agricultural Stabilization and Conservation Service (ASCS) Office. By signing below, the Owner and Operator also agree to allow CCC a period of 30 days from the close of the applicable signup period to accept this Contract and agree to pay liquidated damages in an amount specified in the Appendix if the Owner and Operator do not allow CCC such 30-day period in which to execute this Contract.

4. OWNERS AND OPERATORS

A. OPERATOR NAME AND ADDRESS

Canyonview Irrigation Co.
Box 411
Twin Falls, ID 83301

SHARE SSN

100% 82 0304814

SIGNATURE

By *Elbert G. Harris - President* DATE *7/2/87*
Canyonview Irr. Co.

B. OWNER NAME AND ADDRESS

Peterson

SHARE SSN

%

SIGNATURE

DATE

C. NAME AND ADDRESS

SHARE SSN

%

SIGNATURE

DATE

D. NAME AND ADDRESS

SHARE SSN

%

SIGNATURE

DATE

RECEIVED
MAY 03 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

5. ACRES FOR CRP

404.4

6. RENTAL RATE PER ACRE

\$ 50.00

7. CONTRACT PERIOD

FROM

TO

1988

1997

TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES	TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES
8	9	10	11	12	13	14	15	16	17
T1313	1	CP-1	123.1	\$10/ac seedbed	T1314	5	CP-1	69.9	" "
T1314	1	CP-1	47.0	prep/\$6/ac seeding	"	6	"	61.1	" "
"	2	"	25.5	50% actual cost of					
"	3	"	50.3	seed, herb, fert.					
"	4	"	27.5	"					

18. ANNUAL PAYMENT

\$20,220.

19. CCC USE ONLY - Payments according to the shares are approved.

CCC REPRESENTATIVE'S SIGNATURE

Kenneth H. Boe

DATE

4-1-87

CRP-1
(02-21-86)U.S. DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service
Commodity Credit CorporationST. & CO. CODE &
C/D

2. CONTRACT NO.

45

3. FARM NO.

2891

CONSERVATION RESERVE PROGRAM CONTRACT

16 083 9

NOTE:

The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and the regulations promulgated thereunder (7 CFR Part 704) and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court, magistrate, or administrative tribunal. Furnishing of the Social Security Number (SSN) is mandatory. Furnishing all other information is voluntary; however, failure to furnish the correct, complete information requested will result in rejection of the offer to enter into the contract.

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners and operators (referred to as "Owner" and "Operator", respectively) on the farm identified above (referred to as "Farm") for the fields and acres (referred to as "designated acreage") identified in Items 8-17 below and on the CRP-1A Addendum, as applicable. The Owner and Operator agree to place the designated acreage into the Conservation Reserve Program ("CRP") for a period of 10 crop years from the date the Contract is executed by the CCC. The Owner and Operator also agree to implement on such designated acreage the Conservation Plan developed for such designated acreage and approved by the applicable local conservation district based upon the conservation practices identified in Items 10 and 15 below and in Items 4 and 9 on the CRP-1A Addendum or such other conservation practices as are identified in the Conservation Plan and agreed to by the Owner and Operator. The Owner and Operator and CCC agree to comply with the terms and conditions contained in this Contract and contained in the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, each Owner and Operator acknowledges that a copy of the Appendix has been provided to the Owner and Operator and that the Owner and Operator has signed the last page of such Appendix which will be kept on file in the County Agricultural Stabilization and Conservation Service (ASCS) Office. By signing below, the Owner and Operator also agree to allow CCC a period of 30 days from the close of the applicable sign-up period to accept this Contract and agree to pay liquidated damages in an amount specified in the Appendix if the Owner and Operator do not allow CCC such 30-day period in which to execute this Contract.

4. OWNERS AND OPERATORS

A. OPERATOR NAME AND ADDRESS		SHARE	SSN	DATE	
Canyonview Irrigation Co. Box 411 Twin Falls, ID 83301		100 %	82 0304814	7/2/87	
			SIGNATURE	By <i>Albert D. G. Harris - President</i> <i>Canyonview Irr. Co.</i>	
B. OWNER NAME AND ADDRESS		SHARE	SSN	DATE	
<i>Peterson</i>		%			
			SIGNATURE		
C. NAME AND ADDRESS		SHARE	SSN	DATE	
		%			
			SIGNATURE		
D. NAME AND ADDRESS		SHARE	SSN	DATE	
		%			
			SIGNATURE		

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Kenneth H. Boe

DATE

7-1-87

RECEIVED
MAY 03 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF WATER RIGHT
NO. 47-2290 & 47-2329 FOR IRRIGATION

) COMMENTS AND
) EVIDENCE OF
) JOHN W. PETERSON
)

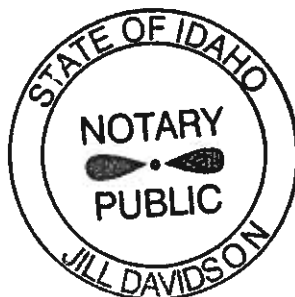
COMES NOW, John W. Peterson, and provides the following comments and evidence in this matter:

1. I am familiar with the property located in Section 12 and 13, T. 10 S., R. 12 E., B.M., as shown in Exhibit A attached to this affidavit, hereafter known as the "Property."
2. I owned the said Property since August 23, 1994 and have knowledge of the irrigation system, and crops that were irrigated during that time.
3. Prior to and during a portion of my ownership of the property the irrigated land was placed into the United States Department of Agriculture's Conservation Reserve Program (CRP) from 1988 through 1997, and was not irrigated during that time.
4. Since the termination of the CRP program I have started to irrigate the said property and have been putting the water rights (47-2329 and 47-2990) to a beneficial use by applying the water to irrigated pasture under the allowed place of use of the before mentioned water rights.

DATED this 1st day of May, 2006.

John W. Peterson
John W. Peterson

SUBSCRIBED and SWORN to before me this 1st day of May, 2006.



Jill Davidson
NOTARY PUBLIC
Residing at: Twin Falls
My Commission Expires: November 18, 2010

RECEIVED
MAY 03 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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