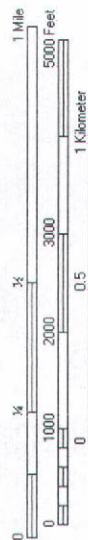


T6N
R6W
S25



M&M Feedlot



M&M Feedlot.IT3; Scale: 1" = 0.379Mi 610Mt 2,000Ft, 1 Mi = 2.640" , 1 cm = 240Mt

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31664

Priority: February 20, 2003

Maximum Diversion Rate: 0.44 CFS

This is to certify, that MANN FARMS
31801 MANN LN
PARMA ID 83660

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.44 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 25, Twp 06N, Rge 06W, B.M., CANYON County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 25, Twp 06N, Rge 06W, B.M., CANYON County
GROUND WATER	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 25, Twp 06N, Rge 06W, B.M., CANYON County
GROUND WATER	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 25, Twp 06N, Rge 06W, B.M., CANYON County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 06W 25			X				X		X	X			X	X			

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 1, 2008**.
2. Subject to all prior water rights.
3. Stockwater use is for 2000 dairy cows.
4. Withdrawal of ground water under this right is mitigated by non-irrigation of nine acres authorized for irrigation under Rt. 63-02587 (8 acres in NWSE and 1 acre in NESW, S25, T06N, R06W). Prior to submitting proof of beneficial use in connection with this permit, the right holder shall complete Option A or Option B described below:

Option A - The right holder shall notify the Department that the right holder has permanently abandoned the right to divert 0.18 cfs and 40.5 AFY for the irrigation of nine acres under Water Right 63-2587 (SRBA Claim 63-2587B). The right holder shall notify the Department by submitting a notarized affidavit attesting to the permanent abandonment of that portion of Water Right 63-2587.

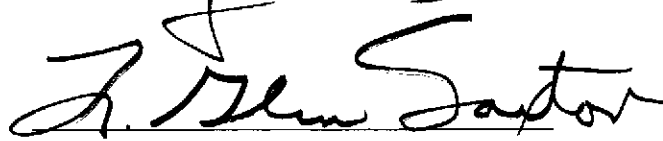
Option B - The applicant shall obtain an approved water right transfer changing the purpose of use of nine acres of irrigation under Water Right 63-2587 (SRBA Claim 63-2587B) to mitigation and the applicant shall cease the diversion and use of water under the mitigation portion of Water Right 63-2587.

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JUN 10 2003

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 28th day of May, 2003


KARL J DREHER, Director
for

MICROFILMED

JUN 9 5 2003

RECEIVED
MAY 22 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED
FEB 20 2003
WATER RESOURCES
WESTERN REGION

Department of Water Resources

1. Name of Applicant Mann Farms Phone 208-722-9039
Mailing address 31801 Mann Lane, Parma, ID 83660
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is Township 6N Range 6W Sec. 25 in the _____ 1/4,
NE 1/4, SW 1/4, Govt. Lot _____, B.M., _____ Canyon _____ County;
additional points of diversion if any: NWSW Sec 25, and two points in NWSE Section 25
4. Water will be used for the following purposes:
Amount 0.44 cfs for stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.44 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source wells with submersible pumps and buried pipelines to water troughs
 - b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 16 inches; proposed depth of well is 150 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? no
 - e. If well is already drilled, when? 2001; Drilling firm Riverside Stevens and Sons
Well was drilled for (well owner) Mann Farms; Drilling Permit No. 721532
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. 2000 dairy replacement cows
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

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JUN 15 2003

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	6W	25			S				S		S	S			S	S			

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298
11. a. Who owns the property at the point of diversion? applicant
- b. Who owns the land to be irrigated or place of use? applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Remarks: This application seeks stockwater for a 2000-head feed lot expansion. The application will be fully mitigated by retiring 10.8 acres of irrigation water right 63-2587B. The retired irrigation water right will provide 2.5 acre feet per acre consumptive use, or a total of 27.0 acre feet annually (8,797,950 gallons). The 2000 head of cattle will require 8,760,000 gallons annually (12 gpd/head x 2000 head x 365 days).
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

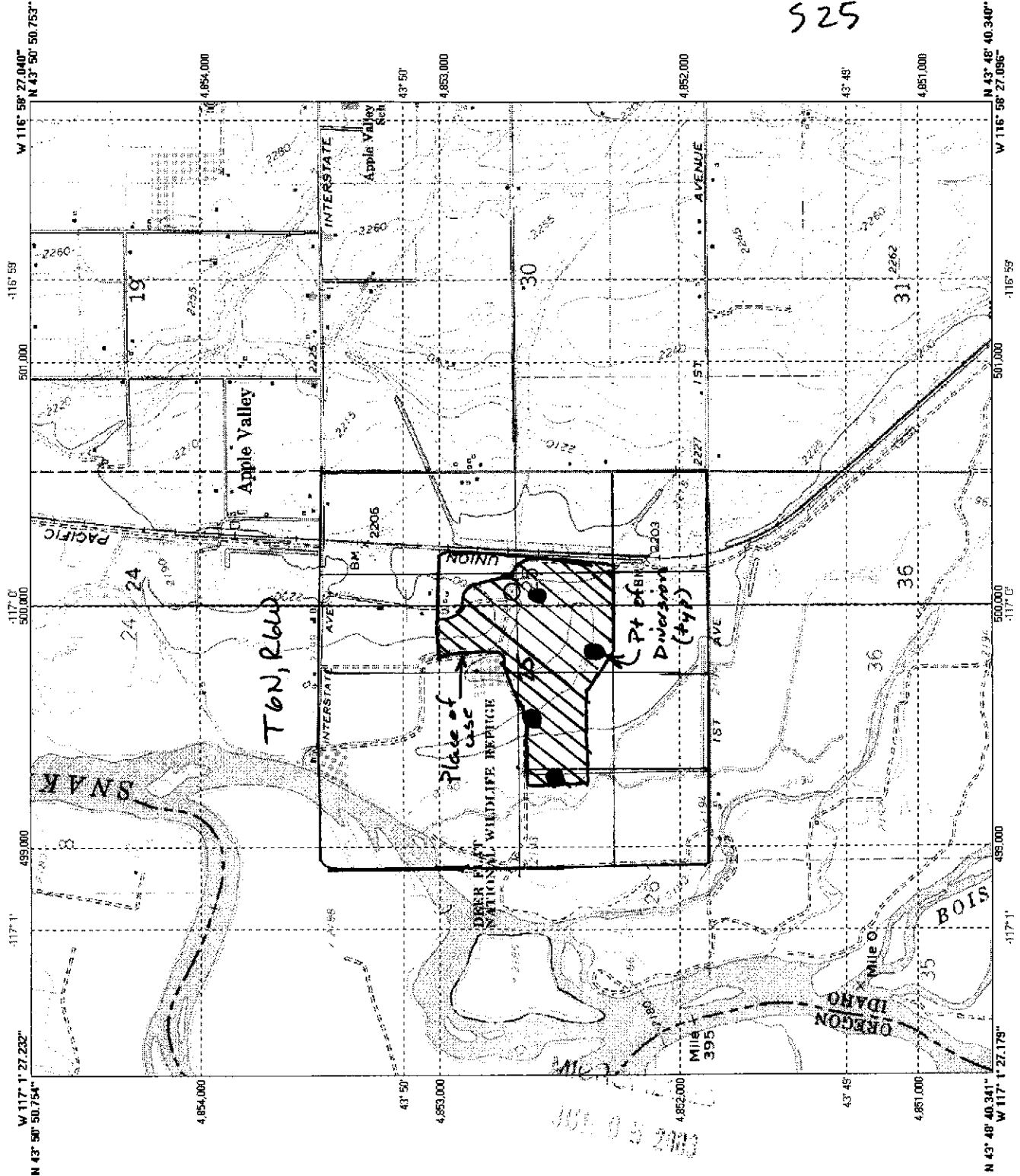
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED
JUN 9 5 2008

[Signature]
Signature of Applicant (and title, if applicable)

Received by AT Date 2-20-03 Time 1:00 p.m. Preliminary check by Ly
 Fee \$ 250.00 Receipted by AT # 60030081 Date 2-20-03
 Publication prepared by AT Date 4-12-24-03 Published in PRESS TRIBUNE
 Publication approved AT Date 5-5-03

T6N no gov lts
R6W
S25



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83726
Boise, Idaho 83720-0098

Return Service Requested

RECEIVED

JUN - 9 2003

Department of Water Resources

SCANLAN ENGINEERING
C/O TERRY SCANLAN
161 E MALLARD DR
BOISE ID 83706

NIXIE

2007 1

17 06/06/03

RETURN TO SENDER
REFUSED
UNABLE TO FORWARD

DAAGTMS 83706

63-31664
Address updated
on database & present
Return to Sender 6/10/03 of

600. E. River
Park Lane, Ste 105
Boise, ID. 83706
address



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 29, 2003

MANN FARMS
31801 MANN LN
PARMA ID 83660

RE: Permit No. 63-31664

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

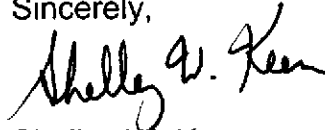
MICROFILMED

JUN 05 2003

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,



Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

cc: SCANLAN ENGINEERING

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JUN 05 2005

CERTIFICATE OF SERVICE

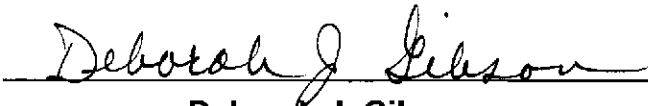
I hereby certify that on May 29, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

63-31664

**MANN FARMS
31801 MANN LN
PARMA ID 83660**

**SCANLAN ENGINEERING
C/O TERRY SCANLAN
161 E MALLARD DR
BOISE ID 83706**


**Deborah J. Gibson
Administrative Assistant**

MICROFILMED
JUN 05 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED
JUN 11 1988

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MAY 22 2003

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by g Date 4/8/03 Application # 63-31664

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County
- ☒ Quantity (Flow and /or Volume)
- ☒ Period of use
- ☒ Nature of proposed use (Include description of use)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map (Show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (for > 1 home in restricted area ≥ 5 homes in non-restricted area)
- ☒ Signature (if applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Government Lots
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

Y ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ ☐ Overlapping place of use (Describe source and relationship to present application on next page)
- ☒ ☐ Overlapping point of diversion
- ☐ ☒ Critical groundwater area
- ☐ ☒ Ground water management area
- ☐ ☒ 1992 moratorium
- ☐ ☒ Surface water source, IDFG letter needed
- ☐ ☒ Protected river or minimum flow reach, notify water planning bureau
- ☐ ☒ E-mail to Dam Safety staff (for any storage)
- ☒ ☐ Mitigation plan Check any that apply
- ☒ Immediate = acceptable plan required and submitted
- ☐ Future = open areas, acceptance of condition of approval is in file
- ☐ ☒ Send power requirement letter &/or fish farm requirement letter
- ☐ ☒ Power residency affidavit
- ☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach Large Diversion supplementary analysis sheet)

☒ ~~NO~~ REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

correlation between surface water
mitigation and GW withdrawal

Date Requested 4/9/03 Date Response Received _____

PROCESSINGAPPLICATION # 63-31664

YES NO

☒ ☐ In form for advertising
☒ ☐ Statewide advertising (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number, and date recorded on application

SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED

YES NO

☐ ☒ I.D. Environmental Quality
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ US BLM
☐ ☒ US Forest Service
☐ ☒ Water Dist #
☐ ☒ Water Planning Bureau
☐ ☒ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken

☒ ☐ Publication dates and paper recorded on application
☐ ☒ Final date for protest 5-5-03
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Water delivered by water master? District #
☒ ☐ Special conditions of approval or cover letter

*Withdrawal of ground water under this right is mitigated
by non irrigation of nine acres authorized for irrigation under
63-2587 R (8 acres in NWSE, ~~SE~~ and 1 acre in NESW, Sec 25, T6N, R6W)*

Recommended Date of Priority 2/20/03Recommendation ☒ Approve ☐ Deny by Barry S Date 5/20/03**ADDITIONAL INFORMATION**☐ See attached proof report, note any Legal Notice Remarks &/or Comments☐ See attached shapefile

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

County of Canyon)

SS.

Rae L. Barbosa
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following:
04/17/2003, 04/24/2003

e0100285 04511731
1 Idaho Dept. of Water Resource
2735 Airport Way
BOISE ID 83705

LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-31664

MANN FARMS
31801 MANN LN
PARMA ID 83660

Point(s) of Diversion
NESW S25 T06N
R06W
CANYON County
Source GROUND WATER

Point(s) of Diversion
NWSW S25 T06N
R06W
CANYON County
Source GROUND WATER

Point(s) of Diversion
NWSE S25 T06N
R06W
CANYON County
Source GROUND WATER

Point(s) of Diversion
NWSE S25 T06N
R06W
CANYON County
Source GROUND WATER

Use: STOCKWATER
01/01 To 12/31
0.44 CFS

Total Diversion: 0.44 CFS
Date Filed: 02/20/2003
Place Of Use: STOCKWATER
T06N R06W S25
SWNE SENW NESW
NWSW NESE NWSE

Remark: Mitigation is proposed for consumptive use.
Water bearing zone to be appropriated is from 20 to 150 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 05/05/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
April 17, 24, 2003 04511731

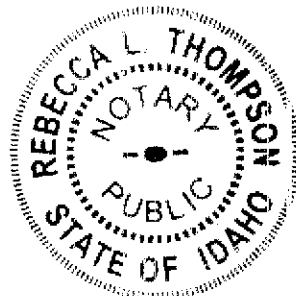
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APR 25 2003

WATER RESOURCES
WESTERN REGION

MICHAEL L. LINDSEY

APR 25 2003



STATE OF IDAHO)
County of Canyon)

On the 24th day of April in the year of 2003
before me, a Notary Public, personally appeared.
Rae L. Barbosa,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Rebecca L. Thompson
Notary Public for Idaho
Residing at Nampa
My commission expires April 19, 2008

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

APR 15 2003

WATER RESOURCES
WESTERN REGION

April 8, 2003

Lori Graves
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Permit by Mann Farms

Dear Lori:

As we discussed by telephone today, please modify the remarks on the Mann Farms application for permit to show retirement of 9 acres of irrigation for mitigation purposes, rather than the 10.8 acres initially proposed.

The 9 acres of irrigation water right proposed for mitigation are based on the 933 mm (36.73 inches) consumptive irrigation requirement (CIR) for alfalfa hay calculated for the Parma Experiment Station by Allen and Brockway (1983). Alfalfa hay has been grown on these acres as part of the typical crop rotation over the past 60 years. At 36.73 inches per acre, the annual consumptive irrigation requirement for 9 acres of alfalfa hay is 8,976,000 gallons. This annual consumptive irrigation requirement slightly exceeds the estimated stockwater diversion requirement of 8,760,000 gallons proposed by the application for permit.

The 10.8 acres originally proposed for mitigation were based on an assumed CIR of 2.5 acre feet per acre. We understand that the current IDWR policy is to utilize the Allen and Brockway CIR for this purpose. As a result, we have modified the mitigation plan to be consistent with current IDWR policy.

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E.

Cc: Kent Mann

MICROFILMED

JUN 05 2003

MEMORANDUM

Date April 8, 2003
From: Lori Graves, IDWR
To: CAFO Site Advisory Team

Re: Canyon County CAFO Application For Kent Mann
Water Rights Evaluation

According to Department records, Kent Mann, aka Mann Farms, currently has the following rights for diversion of 1.79 cfs (803 gpm) from four wells for 8000 head of stock.

Decree 63-21364, 1000 stock, priority 1/1/1944
SRBA claim 63-31292, 1000 stock, priority 6/21/1982
SRBA claim 63-31293, 1500 stock, priority 1/1/1963
SRBA claim 63-31294, 1000 stock, priority 5/12/1976
SRBA claim 63-31295, 1000 stock, priority 1/1/1973
Permit 63-31298, 2500 stock, priority 9/6/2001

Mann Farms filed application no.63-31664 February 20, 2003 for .44 cfs (197 gpm) to support an additional 2000 head of stock. Four points of diversion were listed consisting of two existing wells in the NWSE S25, one new well in the NWSW, and one new well in the NESW.

Since 1992, this agency has suspended applications proposing new consumptive uses in the Treasure Valley unless the applicants submit an acceptable mitigation plan with the application. Any mitigation plan proposed must replace the water withdrawn on a one-to-one basis.

As their mitigation plan, the Mann Farms propose retiring 9 acres of irrigation under surface water license 63-2587B. The retired irrigation will account for the withdrawn water necessary to support the additional 2000 cattle. As a result of this mitigation plan, Mann Farms does not anticipate any detrimental effects to existing surface water or ground water rights. A similar mitigation plan was recently approved for permit 63-31298 listed above. A correlation plan between the surface water source used for mitigation and the ground water source proposed for withdrawal was not provided for the permit or this application.

Please note that a memo from Terry Scanlan attached to the CAFO plan listed 10.8 acres to be retired from irrigation to mitigate the new application. This number was based on Agri-met data, which IDWR no longer uses. The application was then amended to 9 acres to be retired from irrigation for mitigation based on Allen-Brockway data, which is current with IDWR policy.

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JUN 11 2003

The feedlot historically operated with five small wells. Mann Farms intention is to replace the five small wells with the two wells recently drilled for permit 63-31298 in the NWSE S25 and two new wells proposed on this application for a total of four wells.

The application will be advertised in the Idaho Press Tribune on April 17th and 24th. The last day for protest will be May 5th.

MICROFILM

JUN 05 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 09, 2003

Legal Notice Department

Press-Tribune

PO Box 9399

Nampa ID 83652

RE: Application for Permit Nos. 63-31659, 63-31660 and 63-31664

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find three legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 05/05/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

JUN 05 2003

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-31664

MANN FARMS
31801 MANN LN
PARMA ID 83660

Point(s) of Diversion NESW S25 T06N R06W CANYON County Source GROUND WATER

Point(s) of Diversion NWSW S25 T06N R06W CANYON County Source GROUND WATER

Point(s) of Diversion NWSE S25 T06N R06W CANYON County Source GROUND WATER

Point(s) of Diversion NWSE S25 T06N R06W CANYON County Source GROUND WATER

Use: STOCKWATER 01/01 To 12/31 0.44 CFS

Total Diversion: 0.44 CFS

Date Filed: 02/20/2003

Place Of Use: STOCKWATER

T06N R06W S25 SWNE SENW NESW NWSW NESE NWSE

Remark: Mitigation is proposed for consumptive use.
Water bearing zone to be appropriated is from 20 to 150 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 05/05/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Press Tribune on April 17 and 24, 2003.

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MAR 25 2003

Graves, Lori

From: TMSANLAN@aol.com
Sent: Monday, April 07, 2003 12:53 PM
To: lgraves@idwr.state.id.us
Subject: Mann Farms, Inc.

President - Mary H. Mann
Secretary - C. Kent Mann
Directors - none

The most recent annual report for the Corporation can be viewed at

[http://www.accessidaho.org/public/sos/corp/search.html?
SearchFormstep=printdoc&SearchFormSearchForm_DocPrintStepViewDOCIDvalue=AREPORTS%23%23%23%
2302231210&SearchFormSearchForm_DocPrintStepViewPAGENUMvalue=1](http://www.accessidaho.org/public/sos/corp/search.html?SearchFormstep=printdoc&SearchFormSearchForm_DocPrintStepViewDOCIDvalue=AREPORTS%23%23%23%2302231210&SearchFormSearchForm_DocPrintStepViewPAGENUMvalue=1)

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JUN 9 5 2003

4/7/2003

March 25, 2003

RECEIVED

MAR 25 2003

WATER RESOURCES
WESTERN REGION

Lori Graves
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Revised Mitigation Plan for Application for Permit

Dear Ms. Graves:

As mitigation for the Application for Permit submitted to your office in February 2003, Mann Farms will permanently retire from irrigation one acre in the NESW of Section 25, T6N, R6W and 8 acres in the NWSE of Section 25, T6N, R6W. These nine acres have been irrigated using water diverted under water right 63-2587 (claim A63-2587B).

- The one acre in the NESW was part of a 14.5-acre area converted to feedlot in the fall of 2001. The other 13.5 acres of this 14.5-acre area were used as mitigation for permit 63-31298.
- The 8 acres in the NWSE are part of a 20.7-acre area converted to feedlot after the 1996 irrigation season. These 20.7 acres were the subject of an application to avoid forfeiture that was approved on February 7, 2002.

The 9 acres of irrigation water right proposed for mitigation are based on the 933 mm (36.73 inches) consumptive irrigation requirement for alfalfa hay calculated for the Parma Experiment Station by Allen and Brockway (1983). Alfalfa hay has been grown on these acres as part of the typical crop rotation over the past 60 years. At 36.73 inches per acre, the annual consumptive irrigation requirement for 9 acres of alfalfa hay is 8,976,000 gallons. This annual consumptive irrigation requirement slightly exceeds the estimated stockwater diversion requirement of 8,760,000 gallons proposed by the application for permit.

Sincerely,



Kent Mann
Mann Farms

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MAR 25 2003

Acknowledgment:

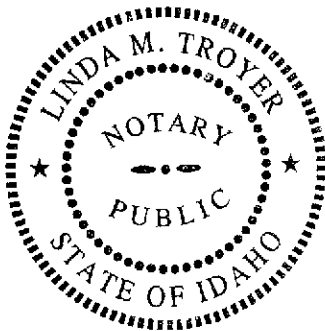
STATE OF IDAHO)

) ss.

County of Canyon)

On this 21st day of March 2003, before me, a notary public for said state, personally appeared Kent Mann, known or identified to me as the person who executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Linda Troyer
Notary Public for Idaho
Residing at: Parma, Idaho
My commission expires: 12-29-05

MICRO. LATED
MAY 25 2003

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

FEB 20 2003

WATER RESOURCES
SOUTHERN REGION

February 19, 2003

Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Permit – Mann Farms

Dear Steve:

On behalf of Mann Farms, I am pleased to submit the enclosed application for permit for stockwater use at M & M Feed Lot near Parma. The application seeks 0.44 cfs to provide stockwater to 2000 dairy replacement cows associated with a proposed feedlot expansion. A check for the \$250 filing fee is enclosed.

Mann Farms currently is authorized to divert up to 1.79 cfs (803 gpm) from four wells for 8000 head of stock under the following rights.

- Decreed right 63-21364 for 1000 head of stockwater with a priority date of 1/1/1944.
- SRBA claim 63-31292 for 1000 head of stockwater with a priority date of 6/21/1982.
- SRBA claim 63-31293 for 1500 head of stockwater with a priority date of 1/1/1963.
- SRBA claim 63-31294 for 1000 head of stockwater with a priority date of 5/12/1976.
- SRBA claim 63-31295 for 1000 head of stockwater with a priority date of 1/1/1973.
- Permit 63-31298 for 2500 head of stockwater with a priority date of 9/6/2001.

In combination, the four claims, one decreed right, and one permit allow diversion of 1.79 cfs (803 gpm) from four wells for 8000 head of stock. The application seeks to increase the water supply by 0.44 cfs (197 gpm) to support an additional 2000 head of stock. Daily volume would be 24,000 gallons (12 gal/head for 2,000 head). Four points of diversion are proposed, consisting of two existing wells located in the NWSE of Section 25, one new well in the NWSW, and one new well in the NESW. Place of use will include portions of the SWNE, SENW, NESW, NWSW, NESE, and NWSE Section 25.

9

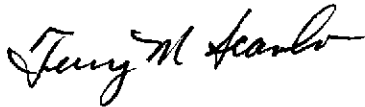
Mitigation for this application would consist of retiring 10.8 acres of irrigation under license 63-2587B. The 10.8 acres would be subtracted from the 20.7-acre portion of this water right that was the subject of an application for extension of time to avoid forfeiture submitted in 2001. Mitigation is based on assuming 12 gpd/head and 2.5 acre feet/acre historical consumptive use on irrigated lands. The water from each acre withdrawn from irrigation will support 186 head of cattle. As a result of this mitigation, we anticipate no detrimental impacts to existing surface water or groundwater rights in the Boise River Basin. Therefore, we seek an exemption from the

MICHAEL J. LESTER

Administrative Processing Hold in the Boise River Basin, and ask that the Department proceed with processing of this application.

Please contact me with any questions or comments concerning this application.

Sincerely,

A handwritten signature in cursive script, reading "Terry M. Scanlan".

Terry M. Scanlan, P.E.

Cc: Kent Mann

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JUN 05 2003

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant Mann Farms
Mailing Address 31801 Mann Lane
Parma, ID 83660
Application No. _____
(if known)

 IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

 X PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

 WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature



Date

2-18-03

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082