

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Transfer No. _____

RECEIVED**JUN 03 2005**

Name of applicant Mountain View Land, LP Phone Department of Water Resources (208) 333-0104
 Post Office address 719 E. 700 N. Rupert, ID 83350

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 Split Rights
2. Describe the reason for the proposed changes To swap priority of water rights from early irrigation water right under 36-16310 with existing dairy water rights. Additional volume included for facility expansion.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-7273B</u>	<u>11/14/1972</u>	<u>0.92/214.0¹</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u>
<u>36-7460L</u>	<u>3/25/1974</u>	<u>0.38/132.6¹</u>	<u>Irrigation</u>	<u>1/1 to 12/31</u>
<u>36-7460L</u>	<u>3/25/1974</u>	<u>0.17/57.1¹</u>	<u>Irrigation</u>	<u>1/1 to 12/31</u>
<u>36-13610</u>	<u>4/1/1958</u>	<u>0.20/-</u>	<u>Irrigation</u>	<u>to</u>
<u>36-13611</u>	<u>8/1/1981</u>	<u>0.20/-</u>	<u>Irrigation</u>	<u>to</u>
<u>36-16310</u>	<u>4/20/1950</u>	<u>1.89/392</u>	<u>Irrigation</u>	<u>to</u>

2. Total amount of water being transferred 3.56 cubic feet per second and/or 795.7 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
	SW	SE	NE	27	7S	25E	Minidoka	Existing Irrigation 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	
7S	25E	27	40	40	40	40									40	40	40	40	320 PPU

PART 1

6. General Information:

- a. Description of diversion system 1 Existing well, distribution piping & sprinklers.

- 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:
Portion of 36-16310 swapped with existing uses under other rights. Net reduction
of 65 acres of irrigation within proposed PPU to allow additional volume diverted
at dairy.

- d. Remarks:
¹Volume indicates 4af/ac authorized for diversion on existing C.U. of 2.58 af/ac.
Transfer from ESPA Model node 10,29 to 9,28. ESPA analysis shows no mitigation
required, see attached ESPA node analysis.

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. 36-7273B Decreed to Whitesides Dairy
in case of SRBA vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ 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 11/14/1972

5. Water is used for the following purpose:

Amount 0.92/138 for Stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)

Amount 0.92/138 for Commercial purposes from 1/1 to 12/31
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.92 cubic feet per second and/or 138 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NE	21	8S	25E	Minidoka	Barn 2 Main Well
		SE	NE	21	8S	25E	Minidoka	Barn 2 Back-up Well

8. Lands irrigated or place of use:

			NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
Twp.	Rge.	Sec.	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	
8S	25E	21	S/C	S/C	S/C	S/C				C					S/C	S/C	C	C	S/C
		22	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
		27					C	C	C	C									
		28	C	C	C	C	C	C	C	C	C	C	C	C					C
		29													C	C			C

Total acres S/C9. Describe any other water rights used for the same purpose as described above 36-7460L, 36-13610, 36-13611

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

No _____ If yes, describe _____

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 _____ for _____ purposes from _____ to _____
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. 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	

Total acres _____

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

1. Amount _____ for _____ purposes from _____ to _____
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. 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	

Total acres _____

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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. 36-7460L Decreed to Mountain View Land, LP
in case of SRBA vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ 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 3/25/1974

5. Water is used for the following purpose:

Amount 0.38/85.5 for Stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)
Amount 0.17/36.8 for Commercial purposes from 1/1 to 12/31
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.55 cubic feet per second and/or 122.3 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NW	NW	22	8S	25E	Minidoka	Barn 1 Main Well
		NW	NW	22	8S	25E	Minidoka	Barn 1 Back-up Well
	NW	NE	NW	22	8S	25E	Minidoka	Domestic/Stock #2

8. 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	
8S	25E	21	C	C	C	C				C					C	C	C	C	C
		22	C	C	C	C	S/C	S/C	S/C	S/C	C	C	C	C	C	C	C	C	S/C
		27					C	C	C	C									
		28	C	C	C	C	C	C	C	C	C	C	C	C					C
		29													C	C			C

Total acres S/C9. Describe any other water rights used for the same purpose as described above 36-7273B, 36-13610, 36-13611

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

No

If yes, describe _____

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 _____ for _____ purposes from _____ to _____
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. 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	

Total acres _____

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

1. Amount _____ for _____ purposes from _____ to _____
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. 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	

Total acres _____

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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. 36-13610 Decreed to George Whitesides
in case of SRBA vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ 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 4/1/1958

5. Water is used for the following purpose:

Amount 0.20/- for Stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)
Amount 0.04/- for Domestic purposes from 1/1 to 12/31
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.24 cubic feet per second and/or 14.6 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NW	NW	22	8S	25E	Minidoka	Domestic/Stock #1

8. 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	
8S	25E	22						S											S
		22						D											D

Total acres S, D9. Describe any other water rights used for the same purpose as described above 36-7273B, 36-7460L, 36-13611

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

No _____ If yes, describe _____

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 0.2/- for Stockwater purposes from 1/1 to 12/31
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NW	NW	22	8S	25E	Minidoka	Domestic/Stock #1

3. 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	
8S	25E	22						S											S

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

Total acres _____

1. Amount 0.04/- for Domestic purposes from 1/1 to 12/31
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NW	NW	22	8S	25E	Minidoka	Domestic/Stock #1

3. 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	
8S	25E	22						D											D

Total acres D

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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. 36-13611 Decreed to Mountain View Land, LP
in case of SRBA vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ 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 8/1/1981

5. Water is used for the following purpose:

Amount 0.20/14.6 for Stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)
Amount 0.04/14.6 for Domestic purposes from 1/1 to 12/31
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.24 cubic feet per second and/or 14.6 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NW	NW	22	8S	25E	Minidoka	Barn 1 Main Well
		NW	NW	22	8S	25E	Minidoka	Barn 1 Back-up Well
	NW	NE	NW	22	8S	25E	Minidoka	Domestic/Stock #2

8. 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	
8S	25E	22					S	S	S	S									S
		22					D												D

Total acres S, D

9. Describe any other water rights used for the same purpose as described above 36-7273B, 36-7460L, 36-13610

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

No If yes, describe _____

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 0.2/- for Stockwater purposes from 1/1 to 12/31
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NW	NW	22	8S	25E	Minidoka	Barn 1 Main Well
		NW	NW	22	8S	25E	Minidoka	Barn 1 Back-up Well
	NW	NE	NW	22	8S	25E	Minidoka	Domestic/Stock #2

3. 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	
8S	25E	22					S	S	S	S									S

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

Total acres S

1. Amount 0.04/- for Domestic purposes from 1/1 to 12/31
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NE	NW	22	8S	25E	Minidoka	Domestic/Stock #2

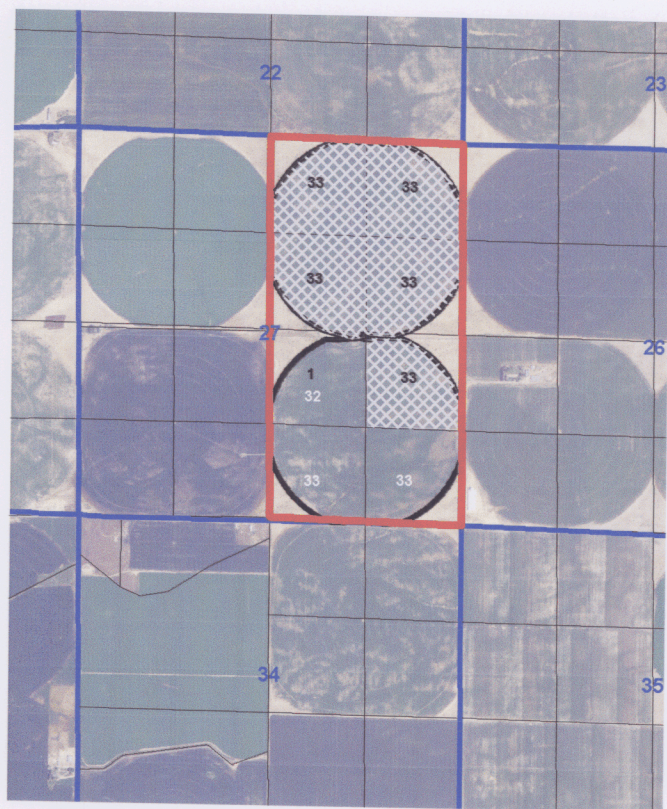
3. Lands irrigated or place of use:

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	
8S	25E	22					D												D

Total acres D

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

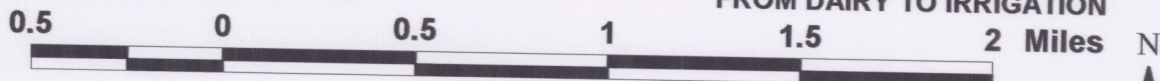
- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



(TWP. 7 South, RNG. 25 East - SEC. 27)
TRANSFER #1 - 166 ACRES (36-16310)
FROM IRRIGATION TO DAIRY



(TWP. 8 South, RNG. 25 East - SEC. 21, 22)
TRANSFER #2 - STOCKWATER & COMMERCIAL
FROM DAIRY TO IRRIGATION



**MOUNTAIN VIEW LAND LIMITED PARTNERSHIP
COMPANION TRANSFERS**

- 36-16310 Transfer Acres (166 Ac.)
- Proposed PPU
(Limited to 199 irrigated acres after transfers)
- Proposed POU - Stockwater
- Sections
- 40's

- Wells & Associated Water Rights**
- 36-7273B
 - 36-7460L
 - 36-13610
 - 36-13611
 - Proposed New Well

PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft)

Irrigation 1.87/260.3 3/15 to 11/15
 to

2. Quantity and quality of return flows and location of discharge:

3. Describe the effects on other water uses resulting from the proposed change:

ESPAM Transfer Spreadsheet attached.

Existing water rights at dairy to be replaced by transfer of irrigation to dairy use
65 net acres will be dried up within proposed irrigation PPU to authorize increased
diversion volume for dairy facility expansion.

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 31ST day of May, 2005.

 (Signature of Applicant) Stu Whitcomb Mountain View Land Partner

(Notary Public) Jill Davidson

My commission expires November 11, 2010

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by JF Stanton Date 5-3-05

Protest filed by _____

Prelim. check by _____ Fee \$370. 5027725

Receipted by gs Date 5-6-05

Copies of protest forwarded by _____

Published in _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____