

SOUTH IDAHO PRESS BURLEY, IDAHO AFFIDAVIT OF PUBLICATION

County of Cassia)
STATE OF IDAHO) ss

Ruth Holmes, being first duly sworn, deposes and is a legal clerk of the South Idaho Press, a newspaper published at Burley, Idaho, in the county aforesaid. The paper is of general circulation therein. Deponent states that the printed notice attached hereto was distributed according to law in the regular editions of the Press for 2 consecutive week(s), commencing on March 6, 2000, and ending with the March 13, 2000.

Ruth Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 13th day of March in the year of 2000, me, a Notary Public, personally appeared Ruth Holmes, identified to me to be the person whose name is subscribed within instrument, and being by me first duly sworn, the statements therein are true, and acknowledged and executed the same.

Kay Moore
Notary Public for Idaho
Residing at: Paul, Idaho
My commission expires:

Cost of Publication 126.00
Affidavit Fee 5.00
Total Cost 131.00

OK
MB
3/21/00

00-083 NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that two applications have been filed with the Department of Water Resources for changes to water rights as described below.

Transfer No. 5658 by Waymont Farms, 781 S 250 E, Burley, ID 83318 requests to change a portion of irrigation rights to stockwater/commercial uses within an existing dairy expansion by drying up 13.7 acres. Right No. 45-02375A has recorded diversions points within SESW, S28; SWNW, NWSW, S34 for irrigation of 240 acres within S28; all T11S, R23E. Right No. 45-04144 has recorded diversion points within SESE, S29 for irrigation of 80 acres within W1/2SE, S29, all T11S, R23E. Right No. A45-10254 has recorded diversion points from 1 well within SWSW, S35, T11S, R23E and a spring tributary to sinks within NENW, S13, T12S, R23E for domestic, stockwater/commercial uses and irrigation (0.06 cfs) of 2.0 acres within S35, T11S, R23E & S2, T12S, R23E. **Cassia County.**

Right No	Priority Date	Amt (cfs)
45-02375A	04/28/1951	2.27
45-04144	04/01/1957	1.20
A45-10254	05/01/1960	0.07
Domestic Same		
stock/com. Same		0.05
irrigation Same		0.06

The applicants wish to transfer a combined total of 0.25 cfs using Designated Right No. 45-02375F for stockwater/commercial uses, Designated Right No. 45-04144B for stockwater/commercial uses, and Designated Right No. A45-10254 for stockwater/commercial, domestic and irrigation uses. Two acres will be irrigated within S1/2SW, S35, T11S, R23E. Dairy barn is located within SESW, S35, T11S, R23E. Stockwater uses are within NENW, S02, T12S, R23E and within S1/2SW, S35, T11S, R23E. Domestic use remains within SWSW, S35, T11S, R23E. Land application of dairy wastes is within SW, S26 and N1/2SW & NW, S35, both T11S, R23E; all Cassia County. The remaining portions of the rights will continue to irrigate 308.3 acres at the original sites with no change in points of diversion.

RECEIVED
MAR 15
Department of Water Resources
Southern Region
Transfer No. 5666 by Whitesides Dairy, c/o Duane Grant, 600 N 707 E, Rupert, ID 83350 requests to change a portion of an irrigation right to stockwater/commercial uses in a new dairy by drying up 46 acres. Right No. 36-07273 is recorded with priority date of 11/14/1972 for diversion from 1 well within NWNW, S27 for irrigation of 150 acres within Sections 22, 27 & 28. The applicants wish to divert 0.92 cfs from two (2) new wells to be drilled within SENE, S21 for stockwater/commercial uses in S21 as Designated Right No. 36-07273B. Dairy waste water will be land applied within Sections 21, 22, 27, 28, & 29; all T08S, R25E; Minidoka County. The remainder, Designated Right No. 36-07273A (2.08 cfs) will continue to irrigate 104 acres at the original site with no change in original point of diversion.

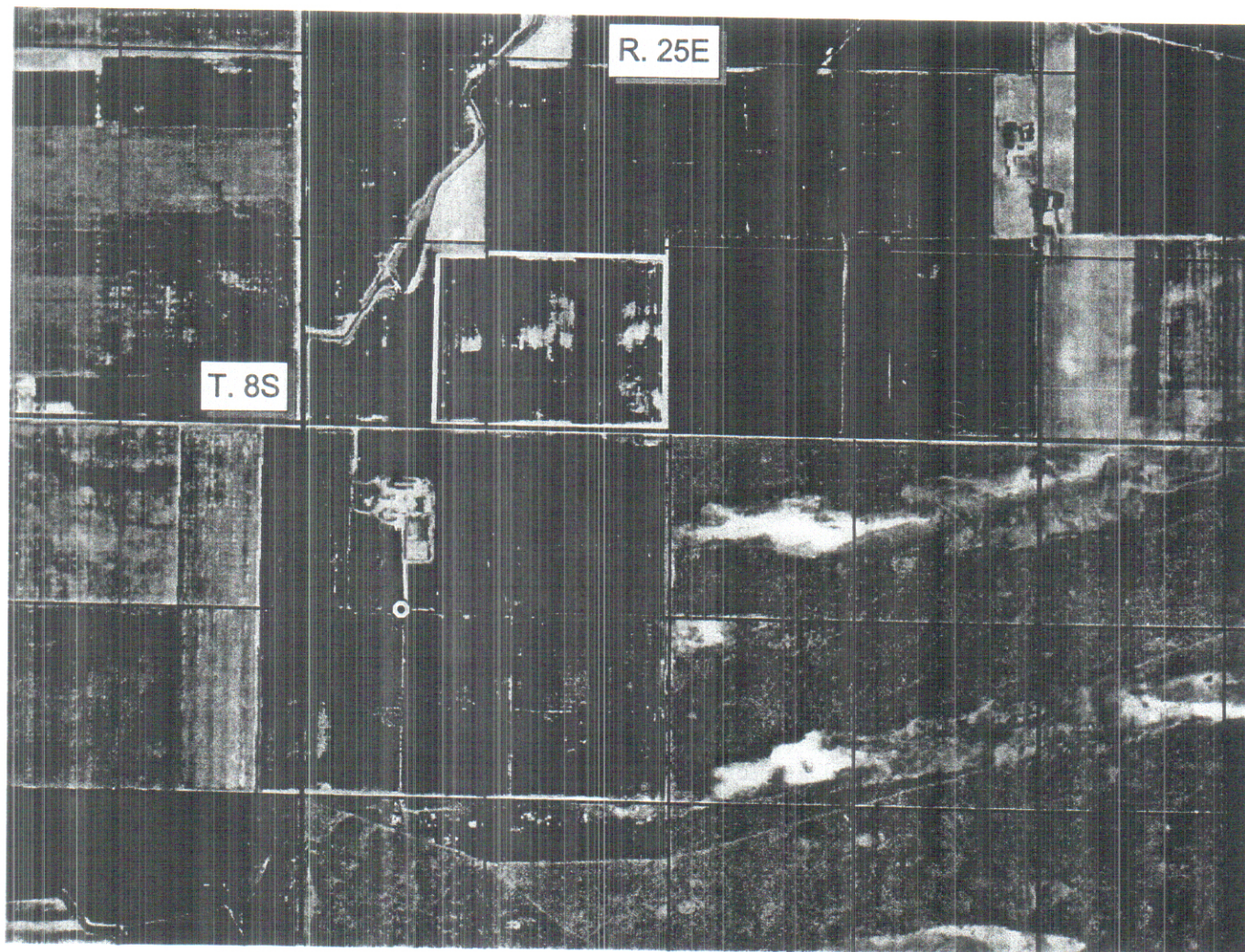
Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before March 23, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. (Each transfer requires a separate protest.) The protestant must also send a copy of the protest to the applicant.

Published in the South Idaho Press on March 6 and 13, 2000.

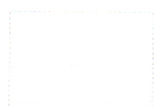
MICROFILMED
JUL 14 2000

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NOV 20 2003

APP. FOR TRANSFER - WHITESIDE DAIRY



● Irrigation Well



Land Being Dried Up

Prepared By J E Stanton
1-4-2000



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NOV 20 2003 JUL 14 2000

T # 5666

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5666
WATER RIGHT NO. 36-07273B

This is to certify that: **WHITESIDES DAIRY**
C/O DUANE GRANT
600 N 707 E
RUPERT ID 83350

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.92 CFS	138.0 AF
COMMERCIAL	01/01 to 12/31	0.92 CFS	138.0 AF
	Totals	* 0.92 CFS	138.0 AF *

SOURCE

GROUNDWATER

Priority: 11/14/1972

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 21, Township 08S, Range 25E
MINIDOKA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 25E 21	NENE	NWNE	SWNE
	SENE	NESE	NWSE

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 25E 21	NENE	NWNE	SWNE
	SENE	SENW	NESE
	NWSE	SWSE	SESE
22	NENE	NWNE	SWNE
	SENE	NENW	SWNW
	SENW	NESW	NWSW
	SWSW	SESW	NESE
	NWSE	SWSE	SESE
27	NENW	NWNW	SWNW
	SENW		
28	NENE	NWNE	SWNE

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TRANSFER NO. 5666
WATER RIGHT NO. 36-07273B

PLACE OF USE: COMMERCIAL

TWN RGE SEC

	SENE	NENW	NWNW
	SWNW	SESW	NESW
	NWSW	SWSW	SESW
29	NESE	NWSE	

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 9. The total instantaneous diversion of water from all points of diversion under Transfer 5666 shall not exceed 0.92 cfs, nor a total combined annual volume of 138.0 af.
10. The place of commercial use authorized by this approval includes land owned by the right holder and others upon which waste water may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
11. Approval of Transfer 5666 does not grant any right-of-way or easement for use of lands owned by person(s) other than the right owner.

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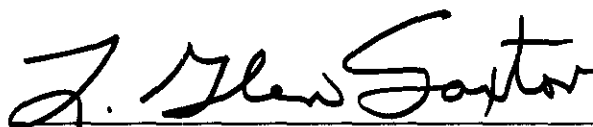
NOV 20 2003

TRANSFER NO. 5666
WATER RIGHT NO. 36-07273B

CONDITIONS OF APPROVAL AND REMARKS

12. Commercial use is for a dairy located in the SENE, S21, T08S, R25E.
13. Two (2) points of diversion are located within the SENE, S21, T08S, R25E.
14. The place of use is also known as Tract A and B of S21, and Tract H of S22, 27 and 28, T08S, R25E.

Dated this 19th day of June, 2000.



Chief, Water Allocation Bureau

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JUL 14 2000

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NOV 20 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Right 36-07273

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on January 15, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 10-15

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.***

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001


ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
NOV 20 2001

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

August 27, 2001

CLARICE A GRANT
DOUGLAS E GRANT
700 N 707 E
RUPERT, ID 83350

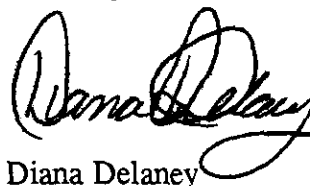
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 36-07273. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order** in combination with the **Partial Decree** that was issued for this water right on January 15, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of the water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued the same date that the **Partial Decree** was originally issued.

Sincerely,


Diana Delaney
Case Administrator

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NOV 30 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

1998 JAN 15 PM 12:17

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-07273

FILED
TWIN FALLS CO., IDAHO

NAME & ADDRESS: CLARICE A GRANT
DOUGLAS E GRANT
RT 4 BOX 250
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 3.00 CFS
600.0 AFY

PRIORITY DATE: 11/14/1972

POINT OF DIVERSION: T08S R25E S27 SENWNW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	3.00 CFS 600.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County
T08S R25E S22	SWSW 22	SESW 36
S27	NENW 36	NWNW 13
S28	NENE 1	SENE 2
150 ACRES TOTAL		

SWNW 5 SENW 35

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

PROPERTY IS ALSO KNOWN AS TRACT H OF SECTIONS 22, 27 & 28 T08S,
R25E.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-07273

PAGE 1
DEC-11-1997

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NOV 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

June 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WHITESIDES DAIRY
C/O DUANE GRANT
600 N 707 E
RUPERT ID 83350

RE: Water Right 36-07273B (Transfer 5666)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5666). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Camula S. Skaggs
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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JUL 14 2000

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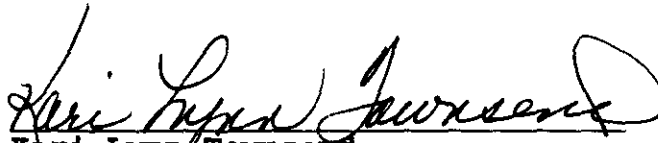
NOV 20 2003

CERTIFICATE OF MAILING

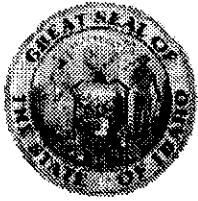
I hereby certify that on the 21st day of June, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 36-07273B (Transfer 5666)

**WHITESIDES DAIRY
C/O DUANE GRANT
600 N 707 E
RUPERT ID 83350**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUL 14 2000
MAY 20 2003**

**Idaho Secretary of State
Business Entity Search**

Mountain View Land Limited Partnership

719 E 700 N
Rupert, ID 83350

Type of Business: Limited Partnership

Status: Current

State of Origin: Idaho

Date of 21 Nov 1997

Origination/Authorization:

Initial Registered Agent: Travis L Bowen PC
1906 Jennie Lee LN
Idaho Falls, ID 83404

Filing Number: L-3558

Number of Authorized N/A

Stock Shares:

Date of Last Annual Report: N/A

Related Documents: 21 Nov 1997 - Certificate of LP (Mountain View Land Limited Partnership)

New Search

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JUL 14 2000

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NOV 20 2003

230

CERTIFICATE OF LIMITED PARTNERSHIP

(Instructions on back of application)

97 NOV 20 PM 2:14
SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited partnership is: Mountain View Land Limited Partnership

2. The name and business address of the registered agent are:
Travis L. Bowen, P.C., 1906 Jennie Lee Drive, Idaho Falls, Idaho 83404
(not a P.O. Box)

3. The name and business address of each general partner are:
Name Address

S & B Management, L.C. 719 East 700 North, Rupert, Idaho 83350

(If more space is needed, continue in item 5.)

4. The latest date on which the partnership will dissolve is: December 31, 2096

5. Other matters (optional):

FILED
97 NOV 20 PM 1:24
CLERK OF STATE
STATE OF IDAHO

6. Signatures of all general partners:

Steven R. Whitesides, Co-Operating Manager of S & B Management, L.C., General Partner
Brent Whitesides, Co-Operating Manager of S & B Management, L.C., General Partner

IDAHO SECRETARY OF STATE
Secretary of State use only
11/18/1997 09:00
DN: 18328 CT: 56095 BN: 54325
1 30.00 = 30.00 LTD PTR DN
L 3558

Applicant for Whitesides Dairy T 5004

MICROFILMED

RECEIVED

APR 24 2000

MEMO

Department of Water Resources

FROM: Allen Merritt

DATE: March 29, 2000

TO: Transfer File No. 5666
Water Right(s): T36-07273B

In the Name of: Whiteside Dairy

SUBJECT: Review and Recommendation

This transfer application proposes to split a recently decreed irrigation right by drying up 46 acres that are served by ground water under right 36-07273 and converting that portion to Stockwater and Commercial uses for use in a new dairy. The subject right is on land owned by Douglas Grant who is selling the portion to the Whiteside Dairy whose principals are in the Whiteside and Grant family. The land being dried up will continue to be irrigated under shares in the A& B Irrigation District that are coming off of the land at the site of the new dairy.

There does not appear to be an expansion of use or issues of forfeiture.

The transfer was advertised without protest.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

- Measuring device(s) shall be installed and maintained on all wells associated with the dairy and is subject to the West ESPA Measurement District measuring and reporting requirement.
- The remaining irrigation use is subject to Magic Valley Groundwater District &/or West ESPA Measurement District measuring and reporting requirements.
- Subject to all other local, state & federal requirements as needed.
- The new wells (two) authorized to be drilled under this approval for the dairy must comply with drilling permit requirements.

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JUL 14 2000

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NOV 20 2000

APPLICANT:

WATER RIGHT NO.

36-072739

[illegible]

MICROFILMED

1308 4 2009



Farm Credit Services

1363 Fillmore Street
P.O. Box 5059
Twin Falls, Idaho 83303-5059
208/733-2577

December 27, 1999

Idaho Dept. of Water Resources
P.O. Box 83720
Boise, ID. 83720-0098

Dear Sir:

Farm Credit Services holds a mortgage on property owned by Douglas E Grant in Minidoka County. The legal description is as follows:

Township 8 South, Range 25 East, Sections 15, 22, 27, and 28.

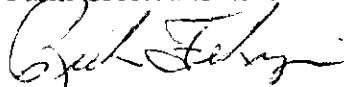
It is our understanding that the Grants wish to transfer 46 acres of ground water entitled to 138 per annum acre feet consumptive use or 184 acre feet total annual diversion to Whitesides Dairy. Since Grants have a total decreed right for 150 acres, Farm Credit assumes they will still have a 104 acre decreed right after the transfer.

Whitesides will in turn transfer 46 acres of A & B Irrigation District water rights to the Grants. The purpose of the transfers is to allow the dairy to utilize private water rights and for Grants to receive a comparable water right through the Irrigation District. This combined transfer will not dry up any of Grant's farm.

Based on these assumptions, Northwest Farm Credit Services, ACA authorizes the Dept. of Water Resources to release the 46 acre private water rights lien subject to the assignment of the A & B Irrigation rights previously discussed to Douglas E Grant and Farm Credit as lien holder. Farm Credit will retain a security interest on the 104 acres of remaining private water right owned by Grants on this parcel.

If you have any questions please feel free to contact me at your convenience.

Sincerely,
Farm Credit Services


Rich Fehringer
Sr. Credit Officer

MICROFILMED

JUL 14 2000

Subject: Water rights

Date: Mon, 27 Dec 1999 11:08:48 -0700

From: Duane Grant <grant@cyberhighway.net>

To: Rich Fehringer <rfehrin@farm-credit.com>

Please draft a letter addressed to:

Idaho Dept. of Water Resources
P.O. Box 83720
Boise, IDaho 83720-0098

Indicate that FCS is the Mortgage holder on property owned by Douglas E. Grant, located in sections 15, 22, 27, and 28, Township 8 South, Range 25 East, Minidoka County, Idaho.

You understand that the Grants wish to transfer 46 acres of ground water entitled to 138 per annum acre feet consumptive use or 184 acre feet total annual diversion, to the Whiteside Dairy.

Whitesides will in turn transfer 46 acres of A & B Irrigation District water rights to the Grants. No ground will be left dry as a result of these transfers. The sole purpose of the transfer is to facilitate the use of private water for the Dairy, and A&B Irrigation District water for irrigation.

If possible, have the letter ready at signing this afternoon, as I would like to get meet with the Dept. this afternoon.

Thanks for your help.

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JUL 14 2000

MICROFILMED

JUL 14 2000

T#5666

12/27/99 11:09 AM

SOUTH IDAHO PRESS BURLEY, IDAHO AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and says that she is a legal clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid, and that the printed notice attached hereto was published in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing on the date of March 6, 2000, and ending with the date of March 13, 2000.

Ruth Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 13th day of March in the year of 2000, I, Kay Moore, a Notary Public, personally appeared Ruth Holmes, identified to me to be the person whose name is subscribed to the foregoing instrument, and being by me first duly sworn, she acknowledged the statements therein are true, and acknowledged the execution of the same.

Kay Moore
Notary Public for Idaho
Residing at: Paul, Idaho
My commission expires: 3/27/00

Cost of Publication 126.00
Affidavit Fee 5.00
Total Cost 131.00

OK
MB
3/27/00

00-083 NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that two applications have been filed with the Department of Water Resources for changes to water rights as described below.

Transfer No. 5658 by Waymont Farms, 781 S 250 E, Burley, ID 83318 requests to change a portion of irrigation rights to stockwater/commercial uses within an existing dairy expansion by drying up 13.7 acres. Right No. 45-02375A has recorded diversions points within SESW, S28; SWNW, NWSW, S34 for irrigation of 240 acres within S28; all T11S, R23E. Right No. 45-04144 has recorded diversion points within SESE, S29 for irrigation of 80 acres within W1/2SE, S29, all T11S, R23E. Right No. A45-10254 has recorded diversion points from 1 well within SWSW, S35, T11S, R23E and a spring tributary to sinks within NENW, S13, T12S, R23E for domestic, stockwater/commercial uses and irrigation (0.06 cfs) of 2.0 acres within S35, T11S, R23E & S2, T12S, R23E. Cassia County.

Right No	Priority Date
Use	Am't (cfs)
Am't Changed	
45-02375A	04/28/1951
irrigation	2.27
0.07 cfs	
45-04144	04/01/1957
irrigation	1.20
0.09 cfs	
A45-10254	05/01/1960
Domestic	0.07
Same	
stock/com.	0.05
Same	
irrigation	0.06
Same	

The applicants wish to transfer a combined total of 0.25 cfs using Designated Right No. 45-02375F for stockwater/commercial uses, Designated Right No. 45-04144B for stockwater/commercial uses, and Designated Right No. A45-10254 for stockwater/commercial, domestic and irrigation uses. Two acres will be irrigated within S1/2SW, S35, T11S, R23E. Dairy barn is located within SESW, S35, T11S, R23E. Stockwater uses are within NENW, S02, T12S, R23E and within S1/2SW, S35, T11S, R23E. Domestic use remains within SWSW, S35, T11S, R23E. Land application of dairy wastes is within SW, S26 and N1/2SW & NW, S35, both T11S, R23E; all Cassia County. The remaining portions of the rights will continue to irrigate 308.3 acres at the original sites with no change in points of diversion.

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Cannham
Transfer No. 5666 by Whitesides Dairy, c/o Duane Grant, 600 N 707 E, Rupert, ID 83350 requests to change a portion of an irrigation right to stockwater/commercial uses in a new dairy by drying up 46 acres. Right No. 36-07273 is recorded with priority date of 11/14/1972 for diversion from 1 well within NW1/4NW, S27 for irrigation of 150 acres within Sections 22, 27 & 28. The applicants wish to divert 0.92 cfs from two (2) new wells to be drilled within SENE, S21 for stockwater/commercial uses in S21 as Designated Right No. 36-07273B. Dairy waste water will be land applied within Sections 21, 22, 27, 28, & 29; all T08S, R25E; Minidoka County. The remainder, Designated Right No. 36-07273A (2.08 cfs) will continue to irrigate 104 acres at the original site with no change in original point of diversion.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before March 23, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. (Each transfer requires a separate protest.) The protestant must also send a copy of the protest to the applicant.

Published in the South Idaho Press on March 6 and 13, 2000.

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NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that two applications have been filed with the Department of Water Resources for changes to water rights as described below.

Transfer No. 5658 by Wayment Farms, 781 S 250 E; Burley, ID 83318 requests to change a portion of irrigation rights to stockwater/commercial uses within an existing dairy expansion by drying up 13.7 acres. Right No. 45-02375A has recorded diversions points within SESW, S28; SWNW, NWSW, S34 for irrigation of 240 acres within S28; all T11S, R23E. Right No. 45-04144 has recorded diversion points within SESE, S29 for irrigation of 80 acres within W½SE, S29, all T11S, R23E. Right No. A45-10254 has recorded diversion points from 1 well within SWSW, S35, T11S, R23E and a spring tributary to sinks within NENW, S13, T12S, R23E for domestic, stockwater/commercial uses and irrigation (0.06 cfs) of 2.0 acres within S35, T11S, R23E & S2, T12S, R23E; Cassia County:

<u>Right No</u>	<u>Priority Date</u>	<u>Use</u>	<u>Amt (cfs)</u>	<u>Amt Changed</u>
45-02375A	04/28/1951	irrigation	2.27	0.07 cfs
45-04144	04/01/1957	irrigation	1.20	0.09 cfs
A45-10254	05/01/1960	Domestic	0.07	Same
		stock/com.	0.05	Same
		irrigation	0.06	Same

The applicants wish to transfer a combined total of 0.25 cfs using Designated Right No. 45-02375F for stockwater/commercial uses, Designated Right No. 45-04144B for stockwater/commercial uses, and Designated Right No. A45-10254 for stockwater/commercial, domestic and irrigation uses. Two acres will be irrigated within S½SW, S35, T11S, R23E. Dairy barn is located within SESW, S35, T11S, R23E. Stockwater uses are within NENW, S02, T12S, R23E and within S½SW, S35, T11S, R23E. Domestic use remains within SWSW, S35, T11S, R23E. Land application of dairy wastes is within SW, S26 and N½SW & NW, S35, both T11S, R23E; all Cassia County. The remaining portions of the rights will continue to irrigate 308.3 acres at the original sites with no change in points of diversion.

Transfer No. 5666 by Whitesides Dairy, c/o Duane Grant, 600 N 707 E; RUPERT ID 83350 requests to change a portion of an irrigation right to stockwater/commercial uses in a new dairy by drying up 46 acres. Right No. 36-07273 is recorded with priority date of 11/14/1972 for diversion from 1 well within NWNW, S27 for irrigation of 150 acres within Sections 22, 27, & 28. The applicants wish to divert 0.92 cfs from two (2) new wells to be drilled within SENE, S21 for stockwater/commercial uses in S21 as Designated Right No. 36-07273B. Dairy waste water will be land applied within Sections 21, 22, 27, 28, & 29; all T08S, R25E; Minidoka County. The remainder, Designated Right No. 36-07273A (2.08 cfs) will continue to irrigate 104 acres at the original site with no change in original point of diversion.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before March 23, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. **(Each transfer requires a separate protest.)** The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 03/06 & 03/13/00.

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APR 14 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 28, 2000

ATTN LEGALS DEPT
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

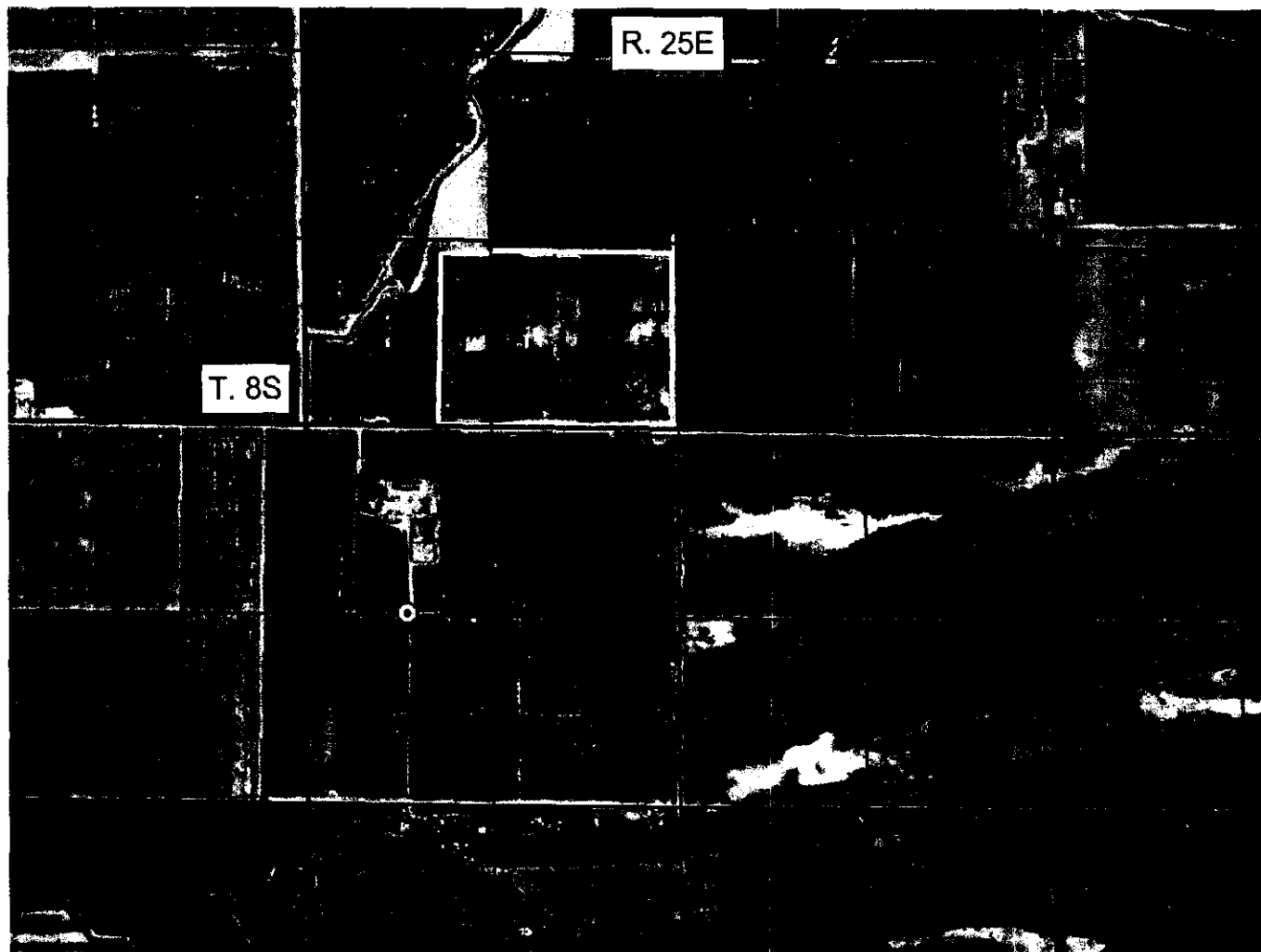
Mary Baldwin
Administrative Assistant

Enclosure

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2000 FEB 28 2000

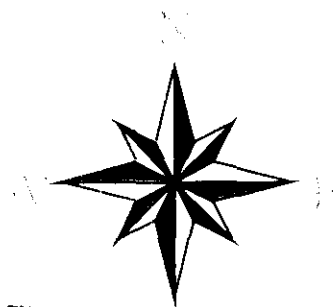
APP. FOR TRANSFER - WHITESIDE DAIRY



© Irrigation Well

Land Being Dried Up

Prepared By J E Stanton
1-4-2000



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JUL 14 2000

T# 5666