

RECEIVED

JAN 10 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

WITHDRAWAL

OF

APPLICATION FOR TRANSFER OF WATER RIGHT(S)

I/We, L&S Land Holdings LLC and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

(Applicant's Printed Name) and _____,
(Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 89523 of Water Right

No(s). 36-8505, 36-7260B and 36-7288C

Signed this 9TH day of JANUARY, 20 25.

[Signature] OWNER
(Signature/Title of Applicant)

(Signature/Title of Applicant)

L & S Land Holdings LLC

2930 S 2300 E

Wendell ID 83355-3150

(Signature/Title of Applicant)

(Signature/Title of Applicant)

Database updated by

CS 1-10-2025

SUPPORT DATA

IN FILE # 36-7260B

WITHDRAWN**RECEIVED****JAN 07 2025**

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) L&S Land Holdings LLC

Mailing Address 2930 S 2300 E Wendell, Id 83355

Email* _____ Phone _____

Name of Representative (if any) Greg Sullivan

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Id 83301

Email* greg.sullivan@brockwayeng.com Phone 208-736-8543

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

Transfer No. 89523 Page 1

WITHDRAWN

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☒ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-7260B

Current Owner: L & S LAND HOLDINGS LLC

Priority Date: 9/15/1972

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>
STOCKWATER	1/01 to 12/31	
COMMERCIAL	1/01 to 12/31	
	<u>Total Diversion</u>	

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.07 CFS	25.6 AF
0.03 CFS	1.4 AF
0.1 CFS	27 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4 Sec. 17, Twp 08S, Rge 16E B.M.

JEROME County

Place of Use

STOCKWATER Within JEROME County

T08S R16E S17 NESE

COMMERCIAL Within JEROME County

T08S R16E S17 NESE

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. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
3. The right holder shall not use water under this approval for a dairy operation larger than 800 milking cows and 100 dry cows for a total of 900 cows.
The amount of water authorized under this approval when combined with any other water rights for the dairy shall not exceed the amount of water which the right holder can beneficially use for a total of 900 cows at Liberty dairy.
Prior to the diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each diversion associated with the dairy and shall annually report the amount of water diverted to the dairy and shall annually report the amount of water diverted to the department. The right holder shall obtain prior approval from the department relative to the type of device.
This approval does not authorize the construction of any new wells.
The right holder shall at its own expense annually test the wells of the protestants for contamination in compliance with requirements of DEQ, if the protestants agree to the testing.
Failure of the right holder to comply with any condition of approval of this transfer is cause for the Director to rescind approval of the transfer.
The right holder shall comply with zoning ordinances of Jerome County.
4. THE RIGHT HOLDER SHALL MAINTAIN OWNERSHIP OF AT LEAST NINE (9) SHARES OF NORTHSIDE CANAL COMPANY WATER FOR MITIGATION PURPOSES AND SHALL COMPLY WITH THE TERMS OF MITIGATION AS THE TERMS MAY BE DETERMINED IN THE FUTURE BY THE DEPARTMENT.

Decreed Date: 12/3/2002

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-7288C

Current Owner: L & S LAND HOLDINGS LLC

Priority Date: 2/28/1973

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	4.38 CFS	876 AF
	<u>Total Diversion</u>	4.38 CFS	876 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4SW1/4NW1/4 Sec. 20, Twp 08S, Rge 16E B.M.
JEROME County

Place of Use

IRRIGATION Within JEROME County

T08S R16E S17	SESW	34.00	T08S R16E S17	SWSE	34.00
T08S R16E S20	NENW	33.00	T08S R16E S20	NWNW	33.00
T08S R16E S20	SWNW	33.00	T08S R16E S20	SENW	32.00
T08S R16E S20	NESW	20.00			

Total Acres: 219

Conditions of Approval:

1. 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 31 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.
2. 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.

Decreed Date: 1/10/2002

89523

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-8505

Current Owner: L & S LAND HOLDINGS LLC

Priority Date: 2/23/1990

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.08 CFS	37.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
STOCKWATER	01/01 to 12/31	0.08 CFS	37.4 AF
	<u>Total Diversion</u>	0.08 CFS	38.6 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 16,	Twp 08S,	Rge 16E B.M.
JEROME County				
GROUND WATER	SE1/4SE1/4SE1/4	Sec. 16,	Twp 08S,	Rge 16E B.M.
JEROME County				

Place of Use

STOCKWATER Within JEROME County

T08S R16E S16 SESE

COMMERCIAL Within JEROME County

T08S R16E S16	SENE	T08S R16E S16	NESE
T08S R16E S16	SESE		

DOMESTIC Within JEROME County

T08S R16E S16 SESE

Page _____ of _____

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 130.
2. X01 Domestic use is for 1 home.
3. X36 Right 36-14182 is also diverted through the points of diversion described above.
4. WD8 The place of commercial use authorized by this approval includes land upon which wastewater 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.
5. Commercial use is for a dairy.

Licensed Date: 4/12/2002

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☐ **N/A.** This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	20					18			31									49.0

Total Irrigated Acres to be Changed: 49.0

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|--|---|
| ☒ Change point(s) of diversion | ☒ Change place of use |
| ☐ Add point(s) of diversion | ☒ Change period of use |
| ☒ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

This transfer proposes to consolidate several smaller dairy facilities into one larger facility.

An additional 49.0 acres from 36-7288C will be converted to stock and commercial water.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐ ☒	36-8505	0.02/11.0	Stockwater	1/01 to 12/31	Ground Water
☐ ☒		0.02/11.0	Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-7260B	0.07/25.6	Stockwater	1/01 to 12/31	Ground Water
☒ ☐		0.07/25.6	Commercial	1/01 to 12/31	Ground Water
☐ ☒	36-7288C	0.98/161.7	Stockwater	1/01 to 12/31	Ground Water
☐ ☒		0.98/161.7	Stockwater	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 1.10 cfs and/or 199.7 af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
	08S	16E	16			SW	NE	Jerome	Ground Water	

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ N/A. This application does not propose to change the place of use.

Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	16			S/C		S/C	S/C	S/C	S/C									

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.
36-7345B and 36-8411

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.
See B.1

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 130. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☒ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

36-7345B and 36-8411

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

See C.1

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☒ No. The place of use for the portion to be changed will no longer be irrigated.

☐ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes	No
☐	☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov).

Label the Form as Attachment 4C-7.

☐	☒
☐	☒
☐	☒

currently used in a mitigation plan limiting the use of water under the right?

subject to an agreement not to divert (CREP)?

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

Two new wells will be drilled, mainline installed and delivery system will be installed.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Signature of Applicant or Representative*

Print Name and Title, if applicable

Date

Signature of Applicant or Representative*

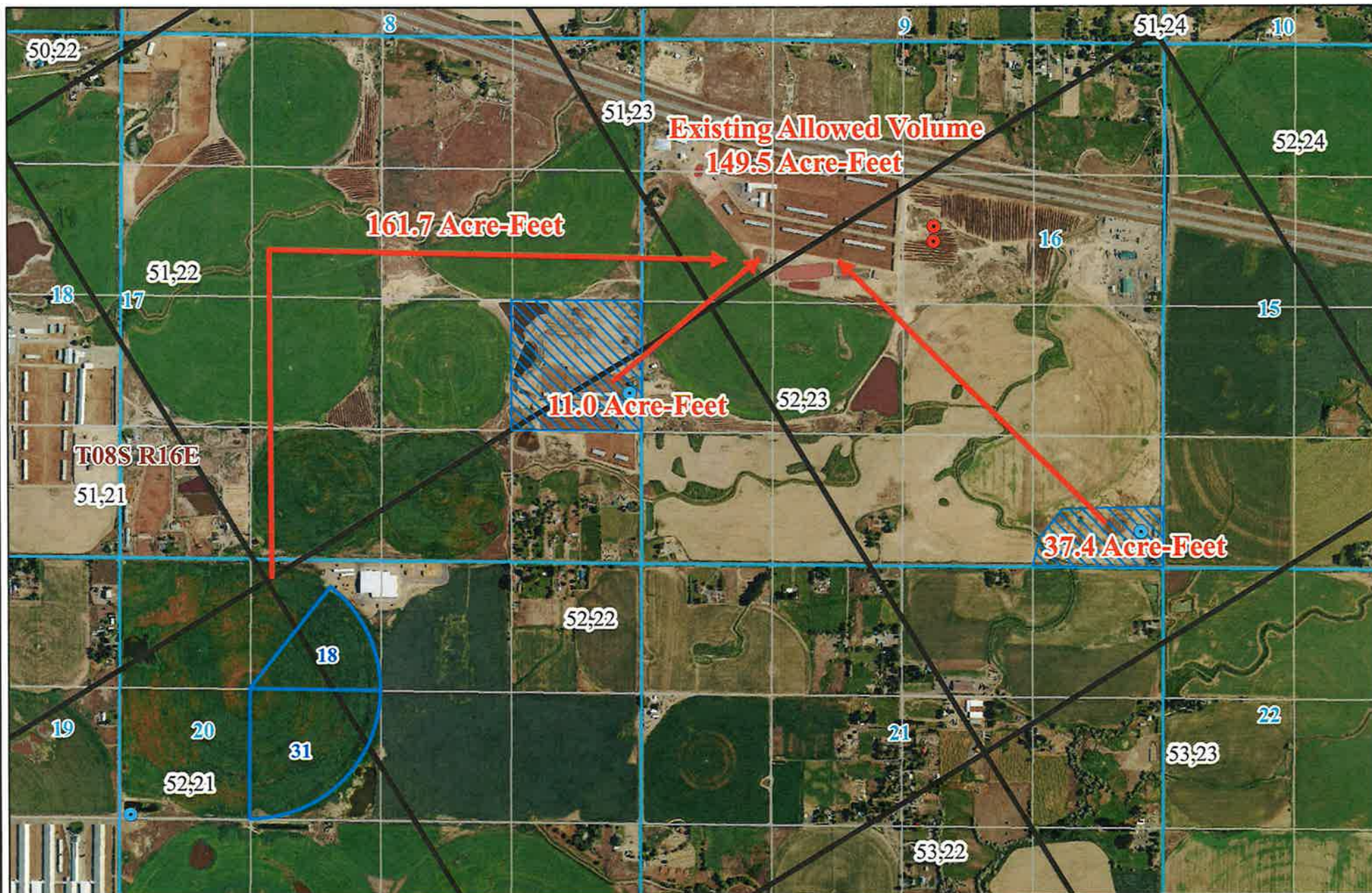
Print Name and Title, if applicable

Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ 830- Receipt #: 5040465 Date: 1/7/2025 Received by: DM
Add'l Paid: \$ _____ Receipt #: _____ Date: _____ Received by: _____



0 0.25 0.5 Miles

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 9/5/2024

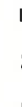
89523

**FREEWAY DAIRIES
L&S LAND HOLDINGS LLC**

NAIP 2023 AERIAL PHOTO

Legend

- FROM PODs
- Dairy PODs
- FROM Irrigation
- FROM S_C





0 500 1,000 Feet

**FREEWAY DAIRIES
L&S LAND HOLDINGS LLC**
NAIP 2023 AERIAL PHOTO

Legend

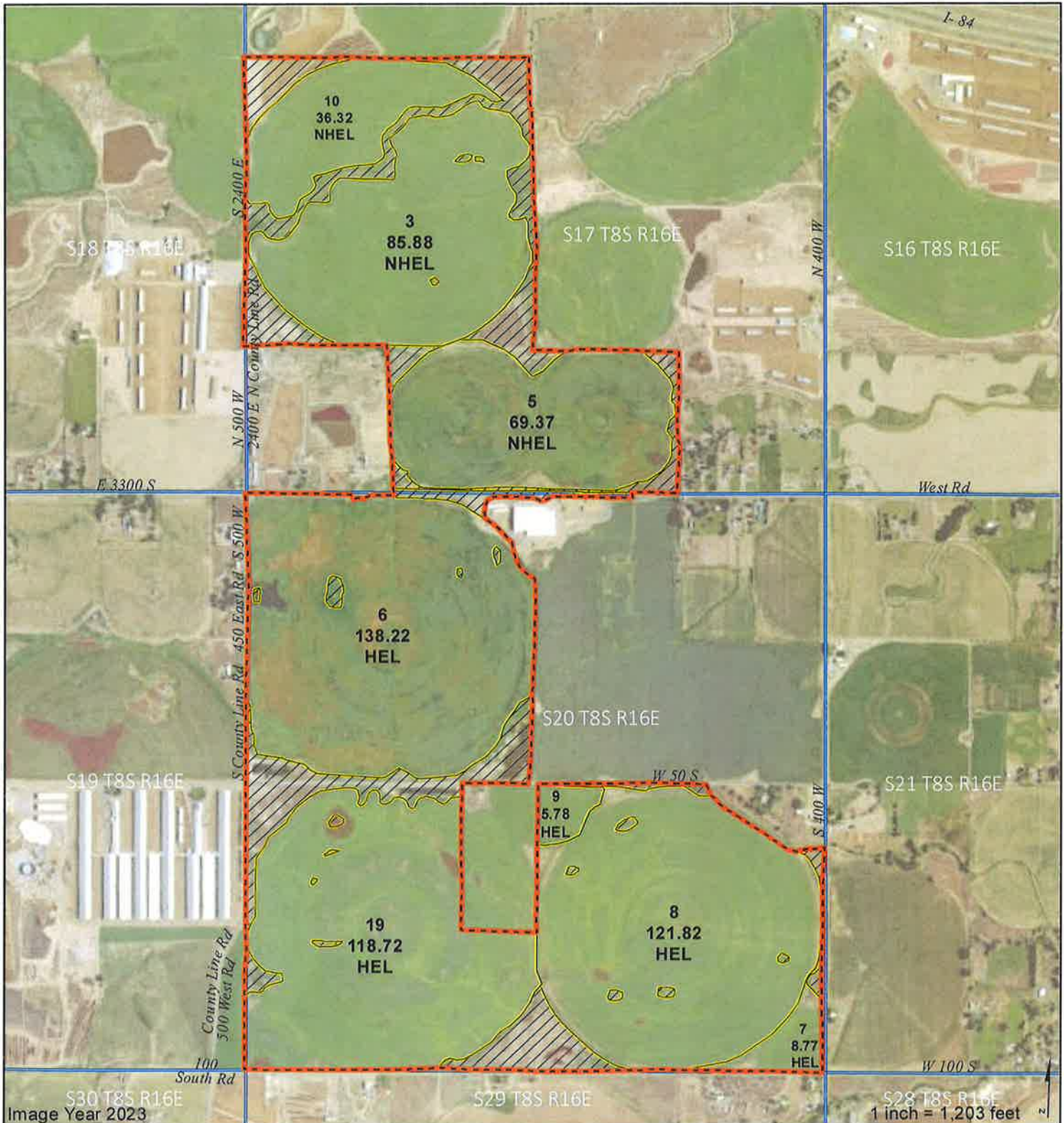
-  Dairy PODs
-  Freeway Dairy





United States
Department of
Agriculture

Jerome County, Idaho



Common Land Unit

- Tract Boundary
- PLSS
- County Boundary
- Non-Cropland
- Cropland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 584.88 acres

89523

2024 Program Year

Map Created July 01, 2024

Farm 3182

Tract 7409

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REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

Tract Number	CLU/Field	Crop/Commodity	Var/Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
1322	1	ALFAL		FG		I	C	N	I	A	15.70		Yes		N	06/30/2021	01	2030
Producer BETTENCOURT DAIRIES LLC					Share 100.00	FSA Physical Location Jerome, Idaho									NAP Unit 1600	Signature Date 07/06/2023		
2		ALFAL		FG		I	C	N	I	A	4.59		Yes		N	06/30/2021	01	2030
Producer BETTENCOURT DAIRIES LLC					Share 100.00	FSA Physical Location Jerome, Idaho									NAP Unit 1600	Signature Date 07/06/2023		

Tract 1322 Summary

PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01 ALFAL		FG	I	A	20.29												
Photo Number/Legal Description: 98 Map A-10, Sec 20 T8S R16E																	
Cropland: 20.29					Reported on Cropland: 20.29					Difference: 0.00					Reported on Non-Cropland: 0.00		

7409	3	ALFAL		FG		I	C	N	I	A	85.88		Yes		N	06/24/2021	01	2030
Producer BETTENCOURT DAIRIES LLC					Share 100.00	FSA Physical Location Jerome, Idaho									NAP Unit 1600	Signature Date 07/06/2023		
5		GRASS	ORG	FG		I	C	N	I	A	69.37		Yes		N	04/15/2023	01	
Producer BETTENCOURT DAIRIES LLC					Share 100.00	FSA Physical Location Jerome, Idaho									NAP Unit 1600	Signature Date 07/06/2023		
6		GRASS	ORG	FG		I	C	N	I	A	138.22		Yes		N	04/15/2023	01	
Producer BETTENCOURT DAIRIES LLC					Share 100.00	FSA Physical Location Jerome, Idaho									NAP Unit 1600	Signature Date 07/06/2023		
7		ALFAL		FG		I	C	N	I	A	8.77		Yes		N	06/30/2021	01	2030
Producer BETTENCOURT DAIRIES LLC					Share 100.00	FSA Physical Location Jerome, Idaho									NAP Unit 1600	Signature Date 07/06/2023		
8		ALFAL		FG		I	C	N	I	A	121.82		Yes		N	06/30/2021	01	2030
Producer BETTENCOURT DAIRIES LLC					Share 100.00	FSA Physical Location Jerome, Idaho									NAP Unit 1600	Signature Date 07/06/2023		
9		ALFAL		FG		I	C	N	I	A	5.78		Yes		N	06/30/2021	01	2030
Producer BETTENCOURT DAIRIES LLC					Share 100.00	FSA Physical Location Jerome, Idaho									NAP Unit 1600	Signature Date 07/06/2023		
10		ALFAL		FG		I	C	N	I	A	36.32		Yes		N	06/24/2021	01	2030
Producer BETTENCOURT DAIRIES LLC					Share 100.00	FSA Physical Location Jerome, Idaho									NAP Unit 1600	Signature Date 07/06/2023		

Mitigation Analysis Period

Trimester: ▼

Freeway Dairy Transfer

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
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Transfer 1: Proposed Steady State Impacts following Transfer

Transfer 1: Worst Case Transient State Impacts following Transfer

Pre-SS 100.00%

Post-SS 100.00%

Impact by Reach (AF/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
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Pre-SS	0.17	0.27	1.42	6.30	0.53	20.12	21.07	8.57	6.54	4.41	0.55	69.9
Post-SS	0.19	0.31	1.66	7.36	0.62	19.37	20.33	8.42	6.51	4.55	0.57	69.9
Pre-TS	0.17	0.27	1.42	6.30	0.53	20.12	21.07	8.57	6.54	4.41	0.55	69.9
Post-TS	0.19	0.31	1.66	7.36	0.62	19.37	20.33	8.42	6.51	4.55	0.57	69.9

Steady State Analysis

Mitigation Check 1 - >10% of Historical:	16.5%	16.6%	16.7%	16.7%	16.7%	-3.7%	-3.5%	-1.7%	-0.4%	3.3%	3.6%
Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.2	1.1	0.09	-0.7	-0.74	-0.1	0.0	0.1	0.0
Mitigation Check 3 - >10% of Total:	0.3%	0.4%	2.4%	10.5%	0.9%	27.7%	29.1%	12.0%	9.3%	6.5%	0.8%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.2	1.1	0.1	-0.7	-0.7	-0.1	0.0	0.1	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical:	16.5%	16.6%	16.7%	16.7%	16.7%	-3.7%	-3.5%	-1.7%	-0.4%	3.3%	3.6%
Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	0.2	1.1	0.09	-0.7	-0.74	-0.1	0.0	0.1	0.0
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.2	1.1	0.1	-0.7	-0.7	-0.1	0.0	0.1	0.0

[Read Me](#)

Pre-SS 0.00%

Post-SS 0.00%

Impact by Reach (AF/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
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Pre-SS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Post-SS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Pre-TS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Post-TS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Steady State Analysis

Mitigation Check 1 - >10% of Historical:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.00	0.0	0.00	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	0.0	0.0	0.00	0.0	0.00	0.00	0.0	0.0	0.0
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.00	0.0	0.0	0.0

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are
set up for user entries

ENTER STARTING DATE FOR

SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON

TRANSFER NO:

0

YEAR

1950

TRANSFER NAME:

SEASON

SPRING

Freeway

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	52	52	52	52
COLUMN	23	23	22	21

49

3.3

37.4

11.0

161.7

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0

SPR 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1971	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1972	0.0	0.0	0.0	3.7	3.7	0.0	0.0
SUM 1972	0.0	0.0	0.0	3.7	3.7	0.0	0.0
WIN 1972	0.0	0.0	0.0	3.7	3.7	0.0	0.0
SPR 1973	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1973	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1973	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1974	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1974	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1974	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1975	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1975	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1975	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1976	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1976	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1976	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1977	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1977	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1977	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1978	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1978	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1978	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1979	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1979	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1979	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1980	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1980	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1980	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1981	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1981	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1981	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1982	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1982	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1982	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1983	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1983	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1983	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1984	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1984	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1984	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1985	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1985	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1985	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1986	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1986	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1986	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1987	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1987	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1987	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SPR 1988	0.0	0.0	0.0	3.7	3.7	53.9	53.9
SUM 1988	0.0	0.0	0.0	3.7	3.7	53.9	53.9
WIN 1988	0.0	0.0	0.0	3.7	3.7	53.9	53.9

SPR 2014	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2014	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2014	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2015	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2015	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2015	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2016	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2016	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2016	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2017	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2017	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2017	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2018	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2018	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2018	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2019	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2019	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2019	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2020	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2020	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2020	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2021	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2021	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2021	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2022	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2022	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2022	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2023	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2023	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2023	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2024	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SUM 2024	0.0	12.5	12.5	3.7	3.7	53.9	53.9
WIN 2024	0.0	12.5	12.5	3.7	3.7	53.9	53.9
SPR 2025	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2025	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2025	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2026	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2026	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2026	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2027	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2027	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2027	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2028	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2028	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2028	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2029	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2029	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2029	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2030	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2030	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2030	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2031	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2031	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2031	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2032	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2032	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2032	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2033	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2033	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2033	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2034	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2034	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2034	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2035	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2035	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2035	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2036	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2036	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2036	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2037	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2037	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2037	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2038	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2038	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2038	70.0	0.0	12.5	0.0	3.7	0.0	53.9

[illegible]

SPR 2089	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2089	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2089	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2090	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2090	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2090	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2091	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2091	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2091	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2092	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2092	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2092	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2093	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2093	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2093	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2094	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2094	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2094	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2095	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2095	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2095	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2096	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2096	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2096	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2097	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2097	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2097	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2098	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2098	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2098	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SPR 2099	70.0	0.0	12.5	0.0	3.7	0.0	53.9
SUM 2099	70.0	0.0	12.5	0.0	3.7	0.0	53.9
WIN 2099	70.0	0.0	12.5	0.0	3.7	0.0	53.9

Dairy Water Use Requirements

Date 1/29/2024

Owner/Operator Info

 Name: Bettencourt Dairies Address: 0 Telephone: 0
 County: Gooding City: Wendell State: 0 Zip Code: 0

Facility Info

 Name: Dairy #2 Address: 0 Telephone: 0
 County: Jerome City: Jerome State: 0 Zip Code: 0

Dairy Stock Water Requirements

Animal Type	# of Animals	Animal Weight (lbs)	Animal Units	Drinking Requirement (gal/hd/day)	Drinking Requirement (gal/day)	Total Drinking (acft/yr)	Reference
Jersey 60lbs/day	6,000	1,000	6,000.0	29.3	175,710	196.82	Modified Kerz Equation, A.C. Kerz, Raiston Farms Company
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
Heifer 970	2,000	600	1,200.0	9.4	18,700	20.95	Fresh Water Needs for Dairy Farms, Dean Paulk D.D. Extension Specialist
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
Totals	8,000		7,200.0		194,410	217.77	

Stock water requirement in acre ft/ year

217.8

Stock water pumping diversion in cfs

0.30

Wash Water Estimates

	Rotary 106	Stalls	106	
# Cows milked	6000	Milkings per Day	2	
Cow Prep.	0.5 gal/cow/milking			6000 gal/day
Bulk Tank	4500 gal/day			4500 gal/day
Pipelines	250 gallons/cycle	3 cycles/wash		1500 gal/day
Claw Backflush	0.1 gal/cycle	4 cycles/wash		4800 gal/day
Entry Deck Wash	18 gpm	24 runtime hrs		25920 gal/day
Exit Deck Wash	25 gpm	24 runtime hrs		36000 gal/day
Claw Wash	5 gpm	24 runtime hrs		7200 gal/day
Deck Spray	8 gpm	24 runtime hrs		11520 gal/day
Parlor Hand Washdown -	60 gal/min	30 min/milking		3600 gal/day
Holding Pen Hand Washdown	60 gpm	30 min/milking		3600 gal/day
Holding Pen Flush	0 gpm	3 # Valves		0 gal/day
	15 time sec.	2 #/ milking		
Holding Pen Mistors	50 gpm	360 min/day		18000 gal/day
Milk Room Cleaning	400 Gpd	Trough Cleaning	400	800 gal/day
Miscellaneous	0 Gpd			0 gal/day
The mister water is entered for water use estimate and not a storage estimate. The holding pen is assumed to be a recycle system to save on water.				
				123,440 Total Parlor gal/day
				2,970,481 180 Day Volume ft3
				20.6 gal/head/day
Recyclable Water Use	0	0	0 Rotary 106	0
Milking Parlor Throughput	90	0	550	0 Cows/hr
Time Milking Per Day	0.0	0.0	21.8	0.0 hours/day
Plate Cooler Water Use	-	-	91,636	- Gal/day
Water Cooled Compressor	-	-	-	- Gal/day
Water Cooled Vacuum Pump	-	-	-	- Gal/day
	-	-	91,636	- Total Cooling Parlor Volume/day in gallons
Manure from Parlor	8487 ft3/day			
Storage period	180 days	Slurry Days of Storage		0
Total Manure from Parlor to Lagoon	3,097,861 ft3	Slurry Pond Volume ft3		-
Years between Solid sludge Cleanout	1 years	Volume Gal		-
Sludge Volume	380,304 ft3	2,844,677 Gallons		

Water Use Evaluation

Clean Water Use	91636 Gal/day
Cow Drinking water use	194410 Gal/day
Commercial Parlor Use	123440 Gal/day
Net Excess Cooling Water	0 Gal/day
Yearly Parlor Cooling Volume (amount exceeding that recycled)	0 Acre Ft/year

Total Facility Water Use Requirements

Stock water Requirement	217.8 Acre Ft/yr
Commercial Parlor Use	138.3 Acre Ft/yr
Additional Cooling Use	0.0 Acre Ft/yr

Water Use Estimate	356.0 Acre Ft/yr
Safety Factor	1.0 SF
Total Water Use Estimate	356.0 Acre Ft/yr
Total Diversion Rate	0.49 Cubic Feet/Second (CFS)

220.7 GPM
1000 GPM Recommended

(this diversion rate is the minimum rate required to pump the above water use estimate 24/7/365)

Existing Water Rights		Diversion rate	Volume				
		cfs	gal/day				
All Existing	36-07345B	0.12		49.2 B2 ✓	36-14288	0.04	13000.0 gpd
	36-8411	0.5		100 B2			
	36-7260B	0.1		-27 B1			
	36-8505	0.08		38.6 Prince			
	36-7368 B	0.04		9 B1			
		0.84		223.8			

Consumptive Use Calculations

FSA Crop	Year	Station	Mean GS mm	Acft	Acres Needed
Alfalfa	2014	Jerome	974	3.20	41.38

References:

Cattle drinking requirements were calculated using published information from industry accepted sources or from table data. Typically the highest use estimate is reported with the corresponding source of information. In some cases the designer will override the source values. In those cases an overridden value may include an explanation for the override.

The following sources were evaluated for the milking and dry cow herds.

Fresh Water Needs for Dairy Farms, Dean Faulk U of I Extension Specialist

Water Intake and Quality for Dairy Cattle, Richard S. Adams & William E. Sharpe, Department of Dairy and Animal Science, Pennsylvania State University

Modified Kertz Equation, A.F. Kertz, Ralston Purina Company

Water Partitioning and Intake Prediction in Dry and Lactating Holstein Cows, J. B. Holter & W.E. Urban Jr., Journal of Dairy Science 1992

The following sources were evaluated for animals other than milking and dry cows.

Fresh Water Needs for Dairy Farms, Dean Faulk U of I Extension Specialist

Water Intake and Quality for Dairy Cattle, Richard S. Adams & William E. Sharpe, Department of Dairy and Animal Science, Pennsylvania State University

Water Requirements of Livestock, Daniel Ward & Kevin McKague, Ministry of Agriculture Food & Rural Affairs, May 2007



0005853983

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005853983

Date Filed: 8/9/2024 3:20:18 PM

Entity Name and Mailing Address:											
Entity Name:	L & S LAND HOLDINGS, LLC										
The file number of this entity on the records of the Idaho Secretary of State is:	0000243192										
Address	2930 S 2300 E WENDELL, ID 83355-3150										
Entity Details:											
Entity Status	Active-Existing										
This entity is organized under the laws of:	IDAHO										
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	W77679										
The registered agent on record is:											
Registered Agent	ROBERT E WILLIAMS Registered Agent Physical Address 153 E MAIN ST JEROME, ID 83338 Mailing Address										
The name and street address of the new registered agent and office in Idaho is:											
Registered Agent	Rick Onaindia Registered Agent Physical Address 2930 S 2300 E WENDELL, ID 83355 Mailing Address 2930 S 2300 E WENDELL, ID 83355-3150										
☒ I affirm that the registered agent appointed has consented to serve as registered agent for this entity.											
Limited Liability Company Managers and Members											
<table><thead><tr><th>Name</th><th>Title</th><th>Business Address</th></tr></thead><tbody><tr><td>☐</td><td></td><td></td></tr><tr><td>☒ The Luis M. and Sharon Bettencourt 2008 Trust u/a/d March 5, 2008</td><td>Member</td><td>2930 S 2300 E WENDELL, ID 83355</td></tr></tbody></table>			Name	Title	Business Address	☐			☒ The Luis M. and Sharon Bettencourt 2008 Trust u/a/d March 5, 2008	Member	2930 S 2300 E WENDELL, ID 83355
Name	Title	Business Address									
☐											
☒ The Luis M. and Sharon Bettencourt 2008 Trust u/a/d March 5, 2008	Member	2930 S 2300 E WENDELL, ID 83355									
The annual report must be signed by an authorized signer of the entity.											
Job Title: Attorney for Company											
<u>Robert E. Williams</u>		<u>08/09/2024</u>									
Sign Here		Date									

B0937-5036 08/09/2024 3:20 PM Received by Office of the Idaho Secretary of State

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JAN 07 2025



DEPT. OF WATER RESOURCES
SOUTHERN REGION

Western Regional Office
Agricultural Finance
MetLife Investment Management
205 E. River Park Circle, Ste. 430
Fresno, CA 93720

Leonides A. Moreno
Managing Director
Phone: (559) 470-6450
Email: lmoreno@metlife.com

Robert Frudden
Director
Phone: (559)-470-6448
Email: robert.frudden@metlife.com

Rainer Telles
Director
Phone: (559)-470-6457
Email: rainer.telles@metlife.com

January 6, 2025

Bettencourt Dairies, LLC
L & S Land Holdings, LLC
The Luis M. and Sharon Bettencourt 2008 Trust
Luis and Sharon Bettencourt
2930 South 2300 East
Wendell, ID 83355

Re: MetLife Real Estate Lending LLC ("Lender") Loan Nos. 200467, 201370, 202610, 203092 and 203286 – Bettencourt Dairies, LLC, L & S Land Holdings, LLC, The Luis S. and Sharon Bettencourt 2008 Trust and Luis and Sharon Bettencourt (collectively, the "Borrower")

Mr. and Mrs. Bettencourt,

MetLife holds a security interest in certain water right numbers (the "Water Rights") in Jerome County, Idaho in connection with the above referenced loans. You have requested that MetLife consent to the transfer of certain Water Rights as described in the State of Idaho Department of Water Resources Application for Transfer of Water Rights ("Application").

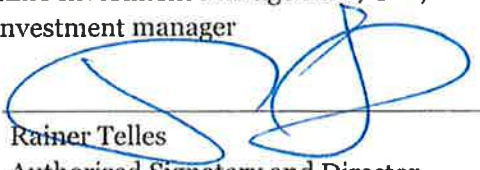
This letter serves as written acknowledgement and consent to the transfer of 199.7 acre-feet to stock and commercial water under the Water Rights as identified in the Application to be filed by the Borrower for the Water Right listed therein and as follows:

Water Rights : 36-8505, 36-7260B, 36-7288C

MetLife Real Estate Lending LLC,
a Delaware limited liability company

By: MetLife Investment Management, LLC,
its investment manager

By:


Rainer Telles

Authorized Signatory and Director

cc: Scott Spiro
Clear Creek Land and Mortgage

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF Fresno

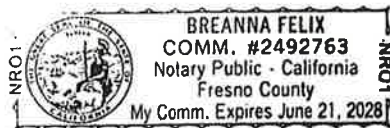
On January 16, 2025, before me, Breanna Felix, a Notary Public, personally appeared Rainer Telles, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Breanna Felix
Signature

This area for official notarial seal.





IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 14, 2025

L & S LAND HOLDINGS LLC
2930 S 2300 E
WENDELL ID 83355-3150

Re: Withdrawal of Application for Transfer No(s). 89523
Water Right No(s). 36-7260B, 36-7288C & 36-8505

Dear Applicant(s):

Thank you for your recent withdrawal of the above referenced application for transfer. No further action is required at this time.

A refund request in the amount of \$830.00 has been submitted for processing and will be sent to Brockway Engineering PLLC.

Please contact our office at 208-736-3033 if you have additional questions on this matter. Also, more information about water rights and other matters administered by this agency is available on our website at www.idwr.idaho.gov.

Sincerely,

Denise Maline

Corey Skinner

for: Southern Regional Manager

c: Brockway Engineering PLLC

Skinner, Corey

From: Skinner, Corey
Sent: Friday, January 10, 2025 4:31 PM
To: IdwrPayable
Subject: Refund Request

We need to issue a refund of \$830.00 to Brockway Engineering PLLC for a transfer application (# 89523) that has been withdrawn. The receipt number is S040465. Their mailing address is...

BROCKWAY ENGINEERING PLLC
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Thanks,

Corey



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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JAN 10 2025

**DEPT. OF WATER RESOURCES
SOUTHERN REGION**

January 10, 2025

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: L&S Land Holdings LLC

Dear Mr. Skinner:

L&S Land Holdings LLC desires to withdraw transfer 89523 and requests a full refund to be sent to Brockway Engineering for check #18367 in the amount of \$830.00 that was submitted with the transfer application to IDWR.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

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

Mills, Bill

From: Mills, Bill
Sent: Tuesday, January 7, 2025 2:14 PM
To: Greg Sullivan
Subject: L & S T. A.

Greg,

The Transfer # for The L & S Land Holdings LLC transfer application is 89523. Don't forget to request a refund of the \$830.00 paid for the application(receipt #S040465) along with the withdrawal.



Bill Mills
Sr Water Resource Agent
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 736-3033
bill.mills@idwr.idaho.gov



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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JAN 07 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

January 7, 2025

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: L&S Land Holdings LLC

Dear Mr. Skinner:

L&S Land Holdings LLC desires to consolidate smaller stock and commercial water rights onto one facility. A 40.0 acre portion of irrigation water will also be converted to a beneficial use of stock and commercial water.

The beneficial use and period of use of water rights 36-8505 and 36-7260B will not be changing.

The beneficial use and period of use of water right 36-7288C will be changing to stock and commercial water and a period of use of 1/01-12/31.

ESPA model analysis of the transfer indicates that no mitigation is required.

Please contact me if you have any questions.

Sincerely,

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

Greg Sullivan, M.S., Engineer

Cc: L&S Land Holdings LLC
Enc: Transfer Application, Aerial Map, ESAP Model Analysis, Consent Letter, FSA
Records, Brockway Engineering Check # 18367 for \$830.00.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506