STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85828

This is to certify that: CRAIG D HEPWORTH
897 N 700 E
RUPERT, ID 83350-8529
AND
IDAHO ACRES DAIRY LLC
111 S MERIDIAN
RUPERT, ID 83350-8701

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
36-11110	WR/DECREED	3/15/1968	1.000 cfs	N/A	100.0	408.0	GROUND WATER
36-2512	WR/DECREED	11/30/1962	2.000 cfs	N/A	100.0	408.0	GROUND WATER
36-8412	WR/LICENSE	3/1/1989	0.950 cfs	N/A	300.0	408.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-11110	NO	NO	YES	NO	NO	NO
36-2512	NO	NO	YES	NO	NO	NO
36-8412	YES	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-11110	36-11110	1.000 cfs	N/A	100.0	247.1	N/A	N/A	N/A	N/A	N/A
36-2512	36-2512	2.000 cfs	400.0 af	100.0	247.1	N/A	N/A	N/A	N/A	N/A
36-8412	36-17202	0.490 cfs	239.1 af	147.1	247.1	36-8412	0.460 cfs	224.4 af	N/A	137.7
COMBINED TOTALS		**2.490 cfs**	**988.4 af**	**247.1**	**247.1**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 7th day of February, 2023.

SUPPORT DATA
IN FILE # 36-2512

Southern Region Manager

Transfer No. 85828

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-2512

As Modified by Transfer No. 85828

In accordance with the approval of Transfer No. 85828, Water Right No. 36-2512 is now described as follows:

Right Holder: CRAIG D HEPWORTH
897 N 700 E
RUPERT, ID 83350-8529

Priority Date: 11/30/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	3/15	to 11/15	2.000 cfs	400.0 af
			2.000 cfs	400.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENENE Sec 9 Twp 08S Rge 25E MINIDOKA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	9	22	1.1	26	40									40	40	39	39	247.1

Right Acre Limit: 100.0
POU Total Acres: 247.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 100 acres within the authorized place of use in a single irrigation season.
2. Rights 36-2512 and 36-11110 when combined shall not exceed a total diversion rate of 2.00 cfs, a total annual maximum diversion volume of 800.0 af at the field headgate, and the irrigation of 200.0 acres.
3. Rights 36-2512, 36-11110, and 36-17202 when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 988.4 af at the field headgate, and the irrigation of 247.1 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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FEB 08 2023

WATER RIGHT NO. 36-2512

As Modified by Transfer No. 85828

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

7. Right no. 36-11110 is an enlargement of this right pursuant to section 42-1426, Idaho Code.

8. Use of this right is combined with water from A & B Irrigation Dist.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

11. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-8412

As Modified by Transfer No. 85828

In accordance with the approval of Transfer No. 85828, Water Right No. 36-8412 is now described as follows:

Right Holder: IDAHO ACRES DAIRY LLC
111 S MERIDIAN
RUPERT, ID 83350-8701

Priority Date: 3/1/1989

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to 11/15	0.460 cfs	224.4 af
			0.460 cfs	224.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENENE Sec 9 Twp 08S Rge 25E MINIDOKA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	10						31	27	5.7	34	37				3			137.7

POU Total Acres: 137.7

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

4. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.

5. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.

Transfer No. 85828

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-8412

As Modified by Transfer No. 85828

CONDITIONS OF APPROVAL

6. Use of this right is combined with water from A & B Irrigation Dist.

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-17202

As Modified by Transfer No. 85828

In accordance with the approval of Transfer No. 85828, Water Right No. 36-17202 is now described as follows:

Right Holder: CRAIG D HEPWORTH
897 N 700 E
RUPERT, ID 83350-8529

Priority Date: 3/1/1989

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to 11/15	0.490 cfs	239.4 af
			0.490 cfs	239.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENENE Sec 9 Twp 08S Rge 25E MINIDOKA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	9	22.0	1.1	26.0	40.0									40.0	40.0	39.0	39.0	247.1

Right Acre Limit: 147.1
POU Total Acres: 247.1

CONDITIONS OF APPROVAL

1. Rights 36-2512, 36-11110, and 36-17202 when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 988.4 af at the field headgate, and the irrigation of 247.1 acres.
2. This right is limited to the irrigation of 147.1 acres within the place of use described above in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. Use of this right is combined with water from A & B Irrigation Dist.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.130.

Transfer No. 85828

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FEB 08 2023

WATER RIGHT NO. 36-17202

As Modified by Transfer No. 85828

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

7. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.

8. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-11110

As Modified by Transfer No. 85828

In accordance with the approval of Transfer No. 85828, Water Right No. 36-11110 is now described as follows:

Right Holder: CRAIG D HEPWORTH
897 N 700 E
RUPERT, ID 83350-8529

Priority Date: 3/15/1968

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate
IRRIGATION	3/15	to 11/15	1.000 cfs
			1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENENE Sec 9 Twp 08S Rge 25E MINIDOKA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	9	22	1.1	26	40									40	40	39	39	247.1

Right Acre Limit: 100.0
POU Total Acres: 247.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 100 acres within the authorized place of use in a single irrigation season.
2. Rights 36-2512 and 36-11110 when combined shall not exceed a total diversion rate of 2.00 cfs, a total annual maximum diversion volume of 800.0 af at the field headgate, and the irrigation of 200.0 acres.
3. Rights 36-2512, 36-11110, and 36-17202 when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 988.4 af at the field headgate, and the irrigation of 247.1 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Use of this right is combined with water from A & B Irrigation Dist.

Transfer No. 85828

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-11110

As Modified by Transfer No. 85828

CONDITIONS OF APPROVAL

6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

8. This right is based upon an enlargement of right no. 36-2512 pursuant to section 42-1426, Idaho Code.

9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Idaho Code § 42-1426. As between water rights decreed as enlargements pursuant to Idaho Code § 42-1426, the earlier priority right is the superior right.

10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

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FEB 08 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 85828

36-8412

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.125 0.25 0.5 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

N

SCANNED
FEB 08 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 85828

36-2512, 36-11110, and 36-17202

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



SCANNED
FEB 08 2023

Rev. 07/11

RECEIVED
SEP 26 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 85828

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at http://www.idwr.idaho.gov/ .

Name of Applicant(s) IDAHO ACRES DAIRY LLC AND CRAIG D HEPWORTH

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A *Means the item is always required and must be included with the application.

- ☑ * Completed Application for Transfer of Water Right form, Part 1.
- ☑ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☑ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☑ Complete and attach an Application for Transfer Part 2B for each water right for which only a portionis proposed to be changed through this transfer application
- ☑ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☑ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☑ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☑ ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☑ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☑ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☑ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☑ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm .
- ☐ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☑ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☑ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☑ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☑ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☑ #9 Other. Please describe: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 26 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant IDAHO ACRES DAIRY LLC Phone (208) 436-3825 Quinn

Mailing Address 111 S MERIDIAN, RUPERT ID 83350-8701 Email

Name of Applicant CRAIG D HEPWORTH Phone (208) 431-5093

Mailing Address 897 N 700 E, RUPERT ID 83350-8529 Email

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☑ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☑ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☑ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Phone

Mailing Address Email

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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.

Quinn D. Hepworth — Quinn D. Hepworth — 9/6/22
Signature of Applicant or Authorized Representative — Print Name and Title if applicable — Date

Craig D Hepworth — Craig D Hepworth — 9/26/22
Signature of Applicant or Authorized Representative — Print Name and Title if applicable — Date

A. PURPOSE OF TRANSFER

1.

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-2512	No	No	Yes	No	No	No
36-8412	Yes	No	Yes	No	No	No
36-11110	No	No	Yes	No	No	No

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FEB 08 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Transfer filed to adjust the place of use on a farm between two sections to reflect current irrigation practices. Application will also update ownership of the rights involved in the application.

B. **DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-2512	2.000 cfs	400.0 af	100.0	247.1		N/A	N/A	N/A	N/A
36-17202	0.490 cfs	239.1 af	147.1	247.1	**36-8412**	0.460 cfs	224.4 af	N/A	137.7
36-11110	1.000 cfs	N/A	100.0	247.1		N/A	N/A	N/A	N/A
COMBINED TOTALS	2.490 cfs	988.4 af	247.1	247.1		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 2.49 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:
   - ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
   - ☑ As shown in Part 1.
   - ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:
   - ☐ No changes to place of use are proposed. (Proceed to #5.)
   - ☑ As shown in Part 1.
   - ☐ See Attachment.

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FEB 08 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 36-2512

Current Water Right Owner

CRAIG D HEPWORTH
897 N 700 E
RUPERT, ID 83350-8529

Priority Date: 11/30/1962
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	3/15	11/15	2.000 CFS	400.0 AFA	
Total Diversion			2.000 CFS	400.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER SENENE Sec. 9 Twp 08S Rge 25E MINIDOKA County

Describe the proposed diversion system
WELL, 75 HP PUMP

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	9	22	1.1	26	40									40	40	39	39	247.1

Right Acre Limit: 100.0
POU Total Acres: 247.1

Transfer No. 85828

SCANNED
FEB 08 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes

Original Water Right No. 36-8412

Current Water Right Owner
IDAHO ACRES DAIRY
LLC
111 S MERIDIAN
RUPERT, ID 83350-8701

Priority Date: 3/1/1989
Origin: Water Right
Basis: License
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	0.460 CFS	224.4 AFA	
Total Diversion			0.460 CFS	224.4 AFA	

Source and Point(s) of Diversion:
GROUND WATER SENENE Sec. 9 Twp 08S Rge 25E MINIDOKA County

Describe the proposed diversion system
Well with 100 hp pump

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	10						31	27	5.7	34	37				3			137.7

POU Total Acres: 137.7

Transfer No. 85828

SCANNED
FEB 08 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes

Proposed Water Right No. 36-17202 **(Original Water Right No.** 36-8412)

Current Water Right Owner
CRAIG D HEPWORTH
897 N 700 E
RUPERT, ID 83350-8529

Priority Date: 3/1/1989
Origin: Water Right
Basis: License
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	0.490 CFS	239.4 AFA	
Total Diversion			0.490 CFS	239.1 AFA	

Source and Point(s) of Diversion:
GROUND WATER SENENE Sec. 9 Twp 08S Rge 25E MINIDOKA County

Describe the proposed diversion system
Well with 100 hp pump

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	9	22.0	1.1	26.0	40.0									40.0	40.0	39.0	39.0	247.1

Right Acre Limit: 147.1
POU Total Acres: 247.1

SCANNED
FEB 08 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 36-11110

Current Water Right Owner

CRAIG D HEPWORTH
897 N 700 E
RUPERT, ID 83350-8529

Priority Date: 3/15/1968
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	3/15	11/15	1.000 CFS	
Total Diversion			1.000 CFS	

Source and Point(s) of Diversion:
GROUND WATER SENENE Sec. 9 Twp 08S Rge 25E MINIDOKA County

Describe the proposed diversion system
WELL, 75 HP PUMP
Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	9	22	1.1	26	40									40	40	39	39	247.1

Right Acre Limit: 100.0
POU Total Acres: 247.1

Transfer No. 85828

SCANNED
FEB 08 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future
One well to sprinkler irrigation systems

b. Who owns the property at the point(s) of diversion
Craig D Hepworth
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☑ **If Yes,** ☐
Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
land will continue to be irrigated as it has

e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Just rights involved in this transfer

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☑	☐	currently leased to the Water Supply Bank,
☐	☑	currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:
10.0 acres of 36-8412 is leased to the IWSB. Transfer will have no impact to the lease other than updating ownership and a new right number (36-17202).

Transfer No. 85828

SCANNED
FEB 08 2023

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

Current Water Right No. 36-2512

Current Water Right Owner

IDAHO ACRES DAIRY
C/O CRAIG HEPWORTH
897 N 700 E
RUPERT, ID 83350

Priority Date: 11/30/1962
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	3/15	11/15	2.000 CFS	
Total Diversion			2.000 CFS	

Source and Point(s) of Diversion:
GROUND WATER SENENE Sec. 9 Twp 08S Rge 25E MINIDOKA County

Describe the proposed diversion system
WELL, 75 HP PUMP
Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	9	26.0	1.0	27.0	40.0									40.0	40.0	40.0	40.0	254.0
08S	25E	10						36.0	37.0	6.0	34.0	38.0				3.0			154.0

Right Acre Limit: 100.0
POU Total Acres: 408.0

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-11110 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.00 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 800 AF.

2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 36-11110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 200 ACRES IN A SINGLE IRRIGATION SEASON WITHIN THE PLACE OF USE DESCRIBED ABOVE.
   USE OF THIS RIGHT WITH RIGHT NOS. 36-11110 AND WITH WATER SUPPLIED BY THE A & B IRRIGATION DISTRICT FOR USE ON THE PLACE OF USE LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON.

3. 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.

4. USE OF THIS RIGHT IS COMBINED WITH WATER FROM A & B IRRIGATION DIST.

5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Transfer No. 85828

SCANNED
FEB 08 2023

Conditions/Remarks:

6. RIGHT NO. 36-11110 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 36-11110 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

SCANNED
FEB 08 2023

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

Current Water Right No. 36-8412

Current Water Right Owner

IDAHO ACRES DAIRY
C/O CRAIG HEPWORTH
897 N 700 E
RUPERT, ID 83350

Priority Date: 3/1/1989
Origin: Water Right
Basis: License
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	0.950 CFS	
Total Diversion			0.950 CFS	

Source and Point(s) of Diversion:
GROUND WATER SENENE Sec. 9 Twp 08S Rge 25E MINIDOKA County

Describe the proposed diversion system
Well with 100 hp pump

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	9	26.0	1.0	27.0	40.0									40.0	40.0	40.0	40.0	254.0
08S	25E	10						36.0	37.0	6.0	34.0	38.0				3.0			154.0

Right Acre Limit: 300.0
POU Total Acres: 408.0

Conditions/Remarks:

1. This right is limited to the irrigation of 300 acres within the place of use described above in a single irrigation season.
2. Rights 36-02512 and 36-11110 are also diverted through the point of diversion described above.
3. Rights 36-02512, 36-11110 and 36-08412 when combined shall not exceed a total diversion rate of 2.95 cfs, and the irrigation of 408 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1630 af at the field headgate for the lands above.
5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Transfer No. 85828

SCANNED
FEB 08 2023

Conditions/Remarks:

8. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

SCANNED
FEB 08 2023

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

Current Water Right No. 36-11110

Current Water Right Owner

IDAHO ACRES DAIRY
C/O CRAIG HEPWORTH
897 N 700 E
RUPERT, ID 83350

Priority Date: 3/15/1968
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	3/15	11/15	1.000 CFS	
Total Diversion			1.000 CFS	

Source and Point(s) of Diversion:
GROUND WATER SENENE Sec. 9 Twp 08S Rge 25E MINIDOKA County

Describe the proposed diversion system
WELL, 75 HP PUMP
Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	25E	9	26.0	1.0	27.0	40.0									40.0	40.0	40.0	40.0	254.0
08S	25E	10						36.0	37.0	6.0	34.0	38.0				3.0			154.0

Right Acre Limit: 100.0
POU Total Acres: 408.0

Conditions/Remarks:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

2. 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.

3. USE OF THIS RIGHT WITH RIGHT NO. 36-02512 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.00 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 800 AF.

4. THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

SCANNED
FEB 08 2023

Conditions/Remarks:

5. USE OF THIS RIGHT WITH RIGHT NO. 36-02512 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 200 ACRES IN A SINGLE IRRIGATION SEASON WITHIN THE PLACE OF USE DESCRIBED ABOVE.
   USE OF THIS RIGHT WITH RIGHT NOS. 36-02512 AND WITH WATER SUPPLIED BY THE A & B IRRIGATION DISTRICT FOR USE ON THE PLACE OF USE LISTED ABOVE IS LIMITED TO A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON.

6. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-02512 PURSUANT TO SECTION 42-1426, IDAHO CODE.

7. USE OF THIS RIGHT IS COMBINED WITH WATER FROM A & B IRRIGATION DIST.

8. RIGHT NO. 36-02512 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

SCANNED
FEB 08 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 36-8412

1. amount	.49cfs (cfs/ac-ft)	for	irrigation	purposes from	3/15	to	11/15
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	

2. Lands irrigated or place of use: (If irrigation, identify with number of acrea irrigated per 1/4 1/4 tract.)

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
8S	25E	9	26	1	27	40									40	40	40	40	254

Total Acres (for irrigation use) 254.0

Transfer No. 85828

SCANNED
FEB 08 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements)

☑ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.** If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

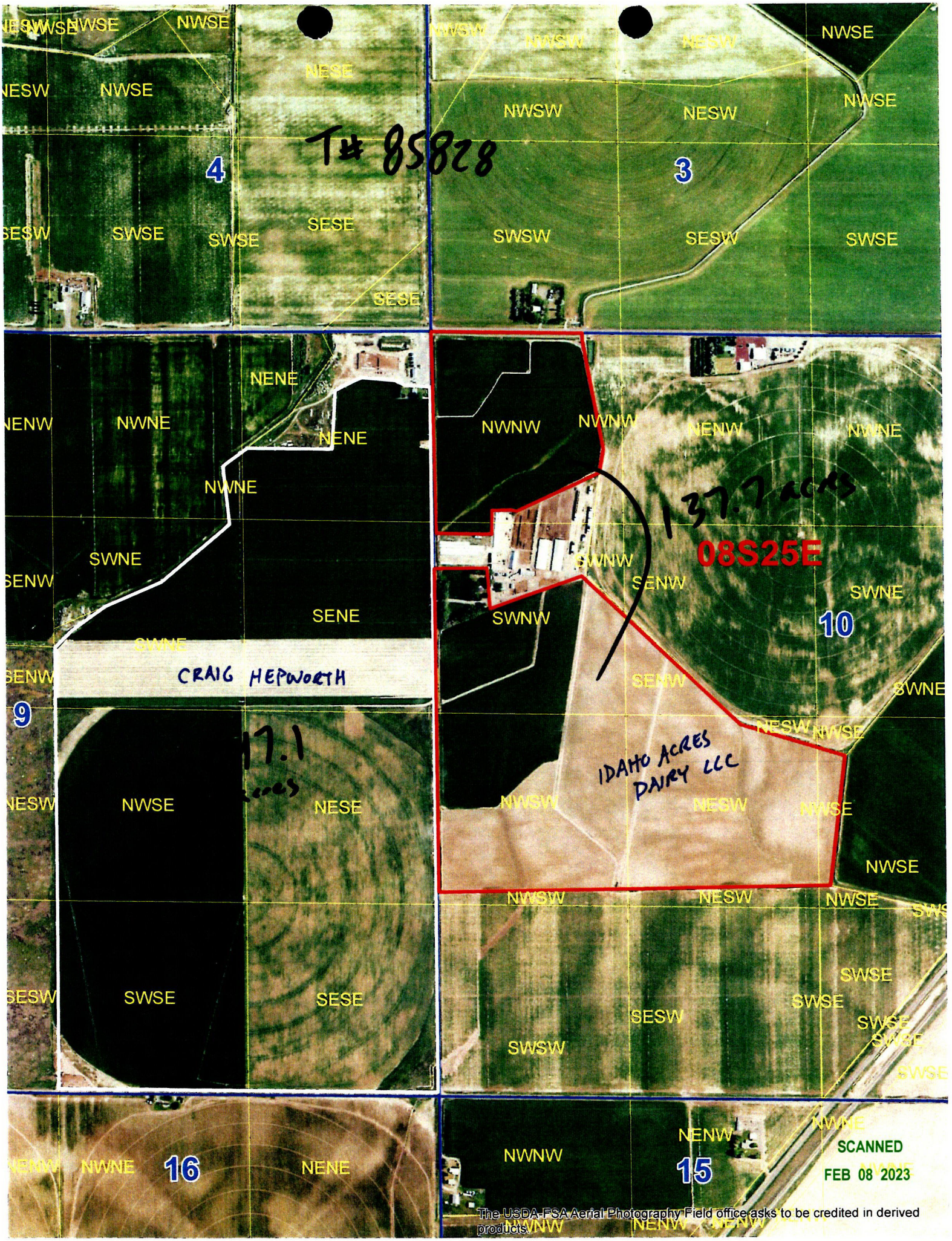
1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:_____

FOR DEPARTMENT USE ONLY

Transfer Contains 16 pages and _____ attachments.
Received By C.SKINNER Date 9/26/2022 Prelim. Check By _____ Date _____
Fee Paid $660.00 Date 9/26/2022 Receipted By C.SKINNER Receipt # 5039459
Add'l Fee Paid $150.00 Date 12/15/2022 Receipted By SG Receipt # 5039557

Transfer No. 85828

SCANNED
FEB 08 2023


T# 85828
4
3
NWSE
NESE
NESW
NWSW
SESE
SWSE
SESW
SWSW
NENE
NENW
NWNE
SWNE
SENW
SENE
CRAIG HEPWORTH
9
17.1 acres
NWSE
NESE
NESW
SWSE
SESE
SESW
137.7 acres
08S25E
NWNW
SWNW
10
IDAHO ACRES DAIRY LLC
16
15
NENW
NWNW
NWNE
NENE
SCANNED
FEB 08 2023
The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

Quitclaim Deed

For value received, **Idaho Acres Dairy Farm Limited Partnership**

Does hereby convey, release, remise, and forever quit claim unto

Quinn D. Hepworth, a married man and his sole and separate property

whose current address is **111 S Meridian, Rupert, ID 83350**

the following described premises:

See attached Legal Description
Exhibit "A"

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Date: ~~December~~ March 20, ~~2018~~ 2019

Idaho Acres Dairy Farm Limited Partnership

By: _____
Craig D. Hepworth, Partner

By: _____
Quinn D. Hepworth, Partner

State of Idaho)
County of Minidoka)

On this 21 day of March, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **Craig D. Hepworth**, personally known to me or proved to me on the basis of satisfactory evidence, to be a general partner of the **Idaho Acres Dairy Farm Limited Partnership**, an Idaho Limited Partnership, who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership's name.

_____
Notary Public
Residing at: Burley, Id
Expires: 8/2/2020

TERRI L. SMITH
NOTARY PUBLIC
Comm. No. 26263
STATE OF IDAHO

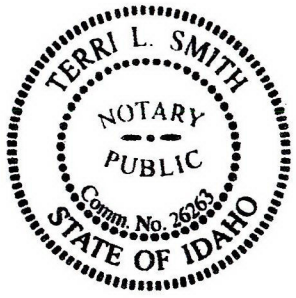
Instrument # 549202
MINIDOKA COUNTY, RUPERT, IDAHO
3-21-2019 02:17:33 PM No. of Pages: 3
Recorded for : IDAHO ACRES DAIRY
TONYA PAGE Fee: 15.00
Ex-Officio Recorder Deputy _____

SCANNED
FEB 08 2023

State of Idaho)
County of Minidoka)

On this 20 day of March, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **Quinn D. Hepworth**, personally known to me or proved to me on the basis of satisfactory evidence, to be a general partner of the **Idaho Acres Dairy Farm Limited Partnership**, an Idaho Limited Partnership, who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership's name.

Notary Public
Residing at: Burley, Id
Expires: 8/2/2020



SCANNED
FEB 08 2023

EXHIBIT "A"

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 10: Farm Unit C, Tract C of the North Side Pumping Division of the Minidoka Project, Ida. The NW¼SE¼ of Section 10 is subject to a right of way by the Idaho State Highway Dept., and subject to Act. Of 7/17/14.

SCANNED
FEB 08 2023

Instrument # 553094
MINIDOKA COUNTY, RUPERT, IDAHO
12-19-2019 09:52:12 AM No. of Pages: 1
Recorded for : STEPHAN KVANVIG STONE & TRAINOR
TONYA PAGE Fee: 15.00
Ex-Officio Recorder Deputy

QUITCLAIM DEED

QUINN D. HEPWORTH, a married man as his sole and separate property, hereinafter "Grantor," does release and forever quitclaim unto Idaho Acres Dairy, LLC, , whose mailing address is 111 South Meridian, Rupert, Idaho 83350, hereinafter "Grantee," and to their heirs and assigns, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property situated in Minidoka County, State of Idaho, to-wit:

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN, MINIDOKA COUNTY IDAHO

Section 10: Farm Unit C, Tract C of the North Side Pumping Division of the Minidoka Project, Ida. The NW¼SE¼ of Section 10 is subject to a right of way by the Idaho State Highway Dept., and subject to Act. of 7/17/14.

Commonly known as: 864 N 700 E Rupert, ID 83350.

TO HAVE AND TO HOLD, all singular the said premises, together with the appurtenances, unto Grantee, and to thier heirs and assigns forever.

WITNESS the hand of said Grantor this 16 day of Dec., 2019.

Quinn D. Hepworth
QUINN D. HEPWORTH

STATE OF IDAHO)
SS.
COUNTY OF TWIN FALLS)

On this 16th day of December, 2019, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared QUINN D. HEPWORTH, personally known or 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.

Crystal Kestler
Notary Public for Idaho
My Commission Expires on 10/21/25

CRYSTAL KESTLER
COMMISSION #20192222
NOTARY PUBLIC
STATE OF IDAHO

SCANNED
FEB 08 2023

Quitclaim Deed

For value received, **Idaho Acres Dairy Farm Limited Partnership**

Does hereby convey, release, remise, and forever quit claim unto

Craig D. Hepworth, a married man and his sole and separate property

Whose current address is **897 N 700 E, Rupert, ID 83350**

the following described premises:

See attached Legal Description
Exhibit "A"

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Date: ~~December~~ March 20 19, ~~2018~~

Idaho Acres Dairy Farm Limited Partnership

By: _____
Craig D. Hepworth, Partner

By: _____
Quinn D. Hepworth, Partner

State of Idaho)
County of Minidoka)

On this 21 day of March, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **Craig D. Hepworth**, personally known to me or proved to me on the basis of satisfactory evidence, to be a general partner of the **Idaho Acres Dairy Farm Limited Partnership**, an Idaho Limited Partnership, who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership's name.

_____
Notary Public
Residing at Burley Id
Expires: 8/2/2020

TERRI L. SMITH
NOTARY
PUBLIC
Comm. No. 26263
STATE OF IDAHO

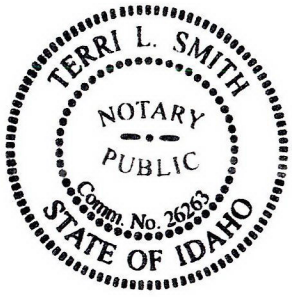
Instrument # 549201
MINIDOKA COUNTY, RUPERT, IDAHO
3-21-2019 02:14:52 PM No. of Pages: 3
Recorded for : IDAHO ACRES DAIRY
TONYA PAGE Fee: 15.00
Ex-Officio Recorder Deputy _____

SCANNED
FEB 08 2023

State of Idaho)
County of Minidoka)

On this 20 day of March, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **Quinn D. Hepworth**, personally known to me or proved to me on the basis of satisfactory evidence, to be a general partner of the **Idaho Acres Dairy Farm Limited Partnership**, an Idaho Limited Partnership, who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership's name.

Notary Public
Residing at: Burley, Id
Expires: 5/2/2020



SCANNED
FEB 08 2023

EXHIBIT "A"

Parcel No. 1:

TOWNSHIP 8 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 9: Farm Unit A, Tract A of the North Side Pumping Division of the Minidoka Project, Idaho (as shown by plat dated July 10, 1957, filed in the office of the County Recorder, Minidoka County, Idaho) **EXCEPT** the following described property:

A parcel of land lying in the E½ of Section 9 described as: Beginning at the Southeast corner of said Section 9; thence North 89°13'30" West along Section line for 1328.25 feet; thence North 0°01'30" East for a distance of 2741.40 feet; thence North 66°39'30" East for a distance of 313.40 feet; thence South 80°44' East for a distance of 169.45 feet; thence North 81°54'30" East for a distance of 330.00 feet; thence North 67°55'30" East for a distance of 587.00 feet to a point on the East line of Section 9; thence South 0°01'30" West along Section line for a distance of 3120.44 feet to the True Point of Beginning.

Parcel No. 2:

Section 9: That part of Farm Unit A, Tract A of the North Side Pumping Division of the Minidoka Project, Idaho filed in the office of the County Recorder, Minidoka County, Idaho, more particularly described as follows: Beginning at the Southeast corner of said Section 9; thence North 89°13'30" West along Section line for 1328.25 feet; thence North 0°01'30" East for 2741.40 feet; thence North 66°39'30" East for 313.40 feet; thence South 89°44' East for 169.45 feet; thence North 81°54'30" East for 330.0 feet; thence 67°55'30" East for 587.00 feet to a point on the East line of Section 9; thence South 0°01'30" West along Section line for 3120.44 feet to the Point of Beginning.

SCANNED
FEB 08 2023

0004389384

STATE OF IDAHO
Office of the secretary of state, Lawerence Denney
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 #: 0004389384
Date Filed: 8/20/2021 10:15:10 AM

Entity Name and Mailing Address:

Entity Name:	Idaho Acres Dairy, LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0003629952
Address	QUINN D. HEPWORTH 111 S MERIDIAN RUPERT, ID 83350-8701

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:	

The registered agent on record is:

Registered Agent	Quinn D Hepworth Registered Agent Physical Address 111 SOUTH MERIDIAN RUPERT, ID 83350 Mailing Address 111 S MERIDIAN QUINN D. HEPWORTH RUPERT, ID 83350-8701

Limited Liability Company Managers and Members

Name	TItle	Business Address
Quinn D Hepworth	Member	QUINN D. HEPWORTH 111 S MERIDIAN RUPERT, ID 83350-8701

The annual report must be signed by an authorized signer of the entity.
Job Title: Office Manager

Kelli Hepworth — Sign Here
08/20/2021 — Date

DOCUMENT #0004389384 RECEIVED BY SECRETARY OF STATE: 10/7/2021 AM

SCANNED
FEB 08 2023

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 Gary Spackman**

February 8, 2023

IDAHO ACRES DAIRY LLC
111 S MERIDIAN
RUPERT ID 83350-8701

CRAIG D HEPWORTH
897 N 700 E
RUPERT ID 83350-8529

Re: Transfer No: 85828
Water Right No(s).: 36-2512, 36-8412, 36-11110

Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

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

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

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

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

WATER DISTRICT 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

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CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85828
Water Right No(s).: 36-2512, 36-8412, 36-11110

IDAHO ACRES DAIRY LLC
111 S MERIDIAN
RUPERT ID 83350-8701

CRAIG D HEPWORTH
897 N 700 E
RUPERT ID 83350-8529

WATER DISTRICT 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

Denise Maline

Denise Maline
Administrative Assistant

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FEB 08 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

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CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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Maline, Denise

From: Bitzenburg, James
Sent: Thursday, February 2, 2023 12:17 PM
To: Maline, Denise
Subject: FW: Comment Letters for Transfer No. 85828 Idaho Acres Dairy & Hepworth

From: Ragan, Brian <Brian.Ragan@idwr.idaho.gov>
Sent: Thursday, February 2, 2023 12:14 PM
To: Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov>
Subject: FW: Comment Letters for Transfer No. 85828 Idaho Acres Dairy & Hepworth

Brian Ragan
IDWR Water Distribution Section
(208) 287-4934

From: Ragan, Brian
Sent: Thursday, February 2, 2023 12:07 PM
To: Southern Info <southerninfo@idwr.idaho.gov>
Cc: King, Corey <Corey.King@idwr.idaho.gov>
Subject: RE: Comment Letters for Transfer No. 85828 Idaho Acres Dairy & Hepworth

To Denise Maline. I have no comments or concerns with this transfer application.

Also, here is the message I received when I tried to email you. It suggests your email doesn't exist.

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Maline, Denise

From: Maline, Denise
Sent: Wednesday, February 1, 2023 2:08 PM
To: Ragan, Brian
Cc: King, Corey
Subject: Comment Letters for Transfer No. 85828 Idaho Acres Dairy & Hepworth
Attachments: Transfer 85828 (Idaho Acres Dairy & Hepworth).pdf; Comment letter to WD130 for 85828.pdf

Hi Brian,

Attached is an application for transfer that is currently being processed by the department, located within WD130. Please review the applications and provide any necessary comments within 21 days.

If you have any questions regarding this application, please feel free to contact Water Right Agent Kent Aasa.

Thank you in advance,

Denise @ Southern Region

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

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FEB 08 2023

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 Gary Spackman**

February 1, 2023

WATER DISTRICT 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

RE: Application for Transfer No(s).: 85828 (Idaho Acres Dairy LLC; Craig Hepworth)

Dear Brian:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

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FEB 08 2023

MEMORANDUM

Date: 01/25/2023

To: Transfer #85828

From: Kent Aasa

Re: Filing Fee Memo

Filing fees charged for transfer application # 85828 were based on the on the current transfer fee schedule and included $660.00 for the 2.49 cfs being transferred in the application and $50.00 for two notices in change of ownership for a total of $710.00 (Receipt No.S036193, dated 09/26/2022). During processing of transfer 85828 more fees were requested for two additional notices of change in ownership plus a water right split for a total of $150.00. IDWR received the additional fees on 12/15/2022 (Receipt No. S039557).

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FEB 08 2023

MEMORANDUM

Date: January 17, 2023

To: Transfer 85828

From: Kent Aasa

Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
1/17/2023

Application for transfer proposes to change the place of use (POU) for water rights 36-2512 (2.0 cfs, 200 acres), 36-8412 (0.95 cfs, 300 acres), and 36-11110 (1.0 cfs, 100 acres) that are used on a farm that lies in two separate sections. Application also proposes to split 36-8412 into two separate portions with one portion going to each of the separate sections. The farm is located approximately 0.9 miles south and 1.7 miles west of the Broadway St/Highway 24 intersection in Minidoka. The proposed transfer is in Water District 130 so Watermaster comments were solicited.

Authority to File: The applicants are the current owners of the water rights in this transfer.

Water Right Validity: Water rights 36-2512 and 36-11110 were decreed in the SRBA on 08/27/2001 and 01/02/2002 respectively. Water right 36-8412 was licensed on 03/14/2002.

Injury to Other Water Rights: None Anticipated. The transfer will update ownership and the place of use to reflect historic irrigation practices.

Enlargement of Use: None Anticipated.

Local Public interest: No issues anticipated.

Beneficial Use/Conservation of Water Resources: Proposed use is recognized as a beneficial use of water.

Effect on Economy the Local Area: None anticipated.

Effect on Agricultural Base of the Local Area: None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

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FEB 08 2023

MEMORANDUM

Date: October 28, 2022

To: Transfer 85828

From: Kent Aasa

Re: Legal Notice Not Required

Legal Notice Not Required
10/28/2022

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

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FEB 08 2023