

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 86488**

This is to certify that: **MIDWAY DAIRY LLC**
2500 OVERLAND AVE
BURLEY, ID 83318-2941

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-2366B	WR/DECREED	8/15/1951	0.770 cfs	139.2 af	N/A	N/A	GROUND WATER
43-2375B	WR/DECREED	3/6/1952	1.350 cfs	403.7 af	N/A	2.0	GROUND WATER
43-2555B	WR/DECREED	10/30/1962	0.980 cfs	186.3 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-2366B	NO	NO	YES	YES	NO	NO
43-2375B	NO	NO	YES	YES	NO	NO
43-2555B	NO	NO	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-2366B	43-2366B	0.770 cfs	139.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
43-2375B	43-2375B	1.350 cfs	403.7 af	N/A	2.0	N/A	N/A	N/A	N/A	N/A
43-2555B	43-2555B	0.980 cfs	186.3 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.100 cfs	590.0 af	N/A	N/A		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 November, 2022.


Southern Region Manager

SUPPORT DATA

IN FILE # 43-2366B

Transfer No. 86488

SCANNED
NOV 08 2022

WATER RIGHT NO. 43-2366B**As Modified by Transfer No. 86488**

In accordance with the approval of Transfer No. 86488, Water Right No. 43-2366B is now described as follows:

Right Holder: MIDWAY DAIRY LLC
2500 OVERLAND AVE
BURLEY, ID 83318-2941

Priority Date: 8/15/1951

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.770 cfs	139.2 af
STOCKWATER	01/01	to 12/31	0.770 cfs	139.2 af
			0.770 cfs	139.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	11	X	X	X	X	X	X	X	X	X				X	X	X	X	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X	X		X													
11S	27E	18					X	X	X	X									
								L 1	L 2										

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X			X													

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. 143.

Transfer No. 86488

SCANNED
NOV 08 2022

WATER RIGHT NO. 43-2366B
As Modified by Transfer No. 86488

CONDITIONS OF APPROVAL

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 diversions.
3. Rights 43-2366B and 43-2375B when combined shall not exceed a total annual maximum diversion volume of 403.7 af.
4. Rights 43-2366B, 43-2375B and 43-2555B when combined shall not exceed a total diversion rate of 3.1 cfs, a total annual maximum diversion volume of 590 af.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to 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.

WATER RIGHT NO. 43-2375B**As Modified by Transfer No. 86488**

In accordance with the approval of Transfer No. 86488, Water Right No. 43-2375B is now described as follows:

Right Holder: MIDWAY DAIRY LLC
2500 OVERLAND AVE
BURLEY, ID 83318-2941

Priority Date: 3/6/1952

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	1.350 cfs	390.9 af
DOMESTIC	01/01	to 12/31	0.130 cfs	4.8 af
IRRIGATION	03/15	to 11/15	0.060 cfs	8.0 af
STOCKWATER	01/01	to 12/31	1.350 cfs	390.9 af
			1.350 cfs	403.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	11	X	X	X	X	X	X	X	X	X				X	X	X	X	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X	X		X													
11S	27E	18					X	X	X	X									
								L 1	L 2										

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	14	X																

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	14	2.0																2.0

POU Total Acres: 2.0

Transfer No. 86488

SCANNED
NOV 08 2022

WATER RIGHT NO. 43-2375B
As Modified by Transfer No. 86488

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X			X													

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. 143.
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 diversions.
3. Rights 43-2366B and 43-2375B when combined shall not exceed a total annual maximum diversion volume of 403.7 af.
4. Rights 43-2366B, 43-2375B and 43-2555B when combined shall not exceed a total diversion rate of 3.1 cfs, a total annual maximum diversion volume of 590 af.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to 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.

WATER RIGHT NO. 43-2555B**As Modified by Transfer No. 86488**

In accordance with the approval of Transfer No. 86488, Water Right No. 43-2555B is now described as follows:

Right Holder: MIDWAY DAIRY LLC
2500 OVERLAND AVE
BURLEY, ID 83318-2941

Priority Date: 10/30/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.980 cfs	186.3 af
STOCKWATER	01/01	to 12/31	0.980 cfs	186.3 af
			0.980 cfs	186.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	11	X	X	X	X	X	X	X	X	X				X	X	X	X	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X	X		X													
11S	27E	18					X	X	X	X									
								L 1	L 2										

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X			X													

CONDITIONS OF APPROVAL

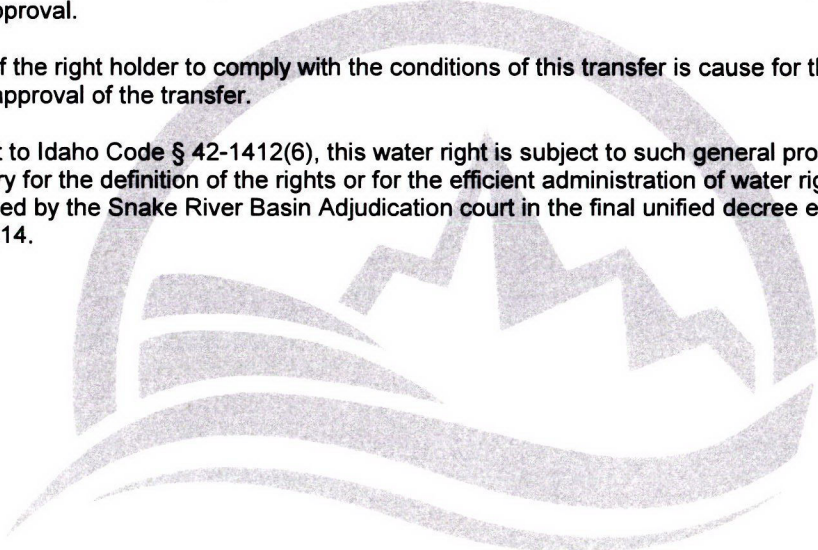
1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.

Transfer No. 86488

SCANNED
NOV 08 2022

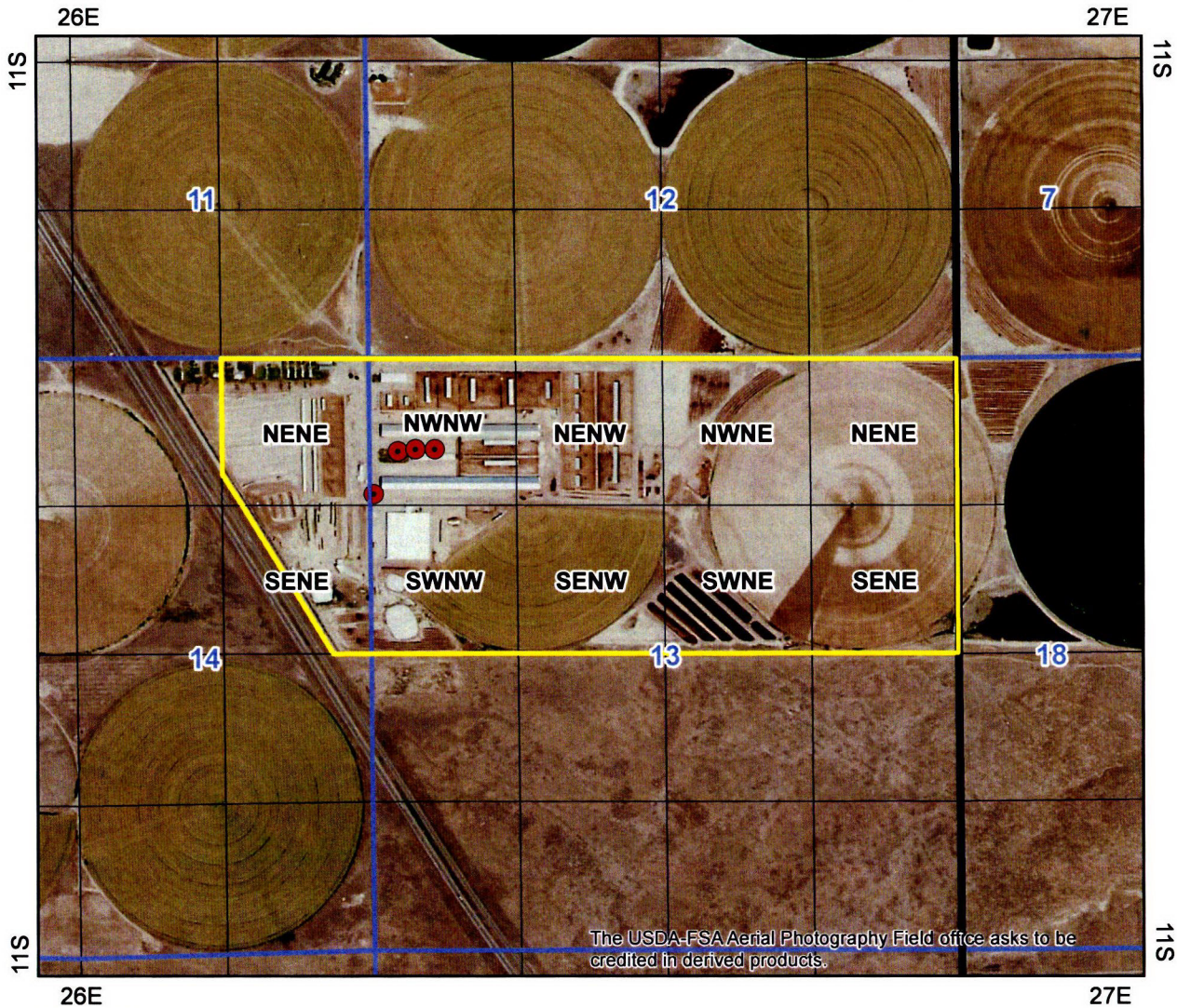
WATER RIGHT NO. 43-2555B
As Modified by Transfer No. 86488

CONDITIONS OF APPROVAL

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 diversions.
 3. Rights 43-2366B, 43-2375B and 43-2555B when combined shall not exceed a total diversion rate of 3.1 cfs, a total annual maximum diversion volume of 590 af.
 4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 6. 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.
- 

State of Idaho
Department of Water Resources
Attachment to Transfer # 86488
43-2366B, 43-2375B, and 43-2555B

This map depicts the STOCKWATER 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.



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

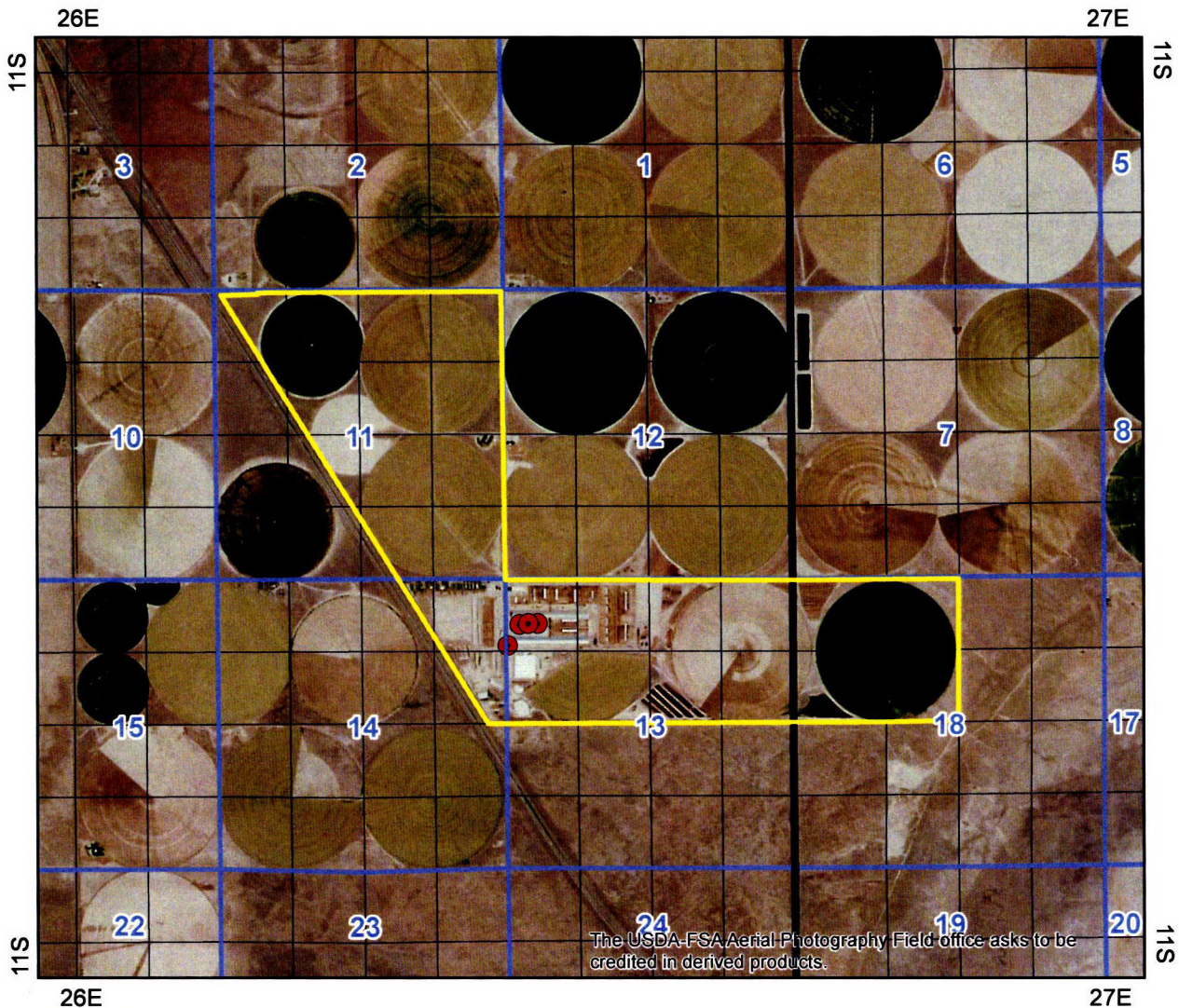
0 0.175 0.35 0.7 Miles



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State of Idaho
Department of Water Resources
Attachment to Transfer # 86488
43-2366B, 43-2375B, and 43-2555B

This map depicts the COMMERCIAL 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.



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

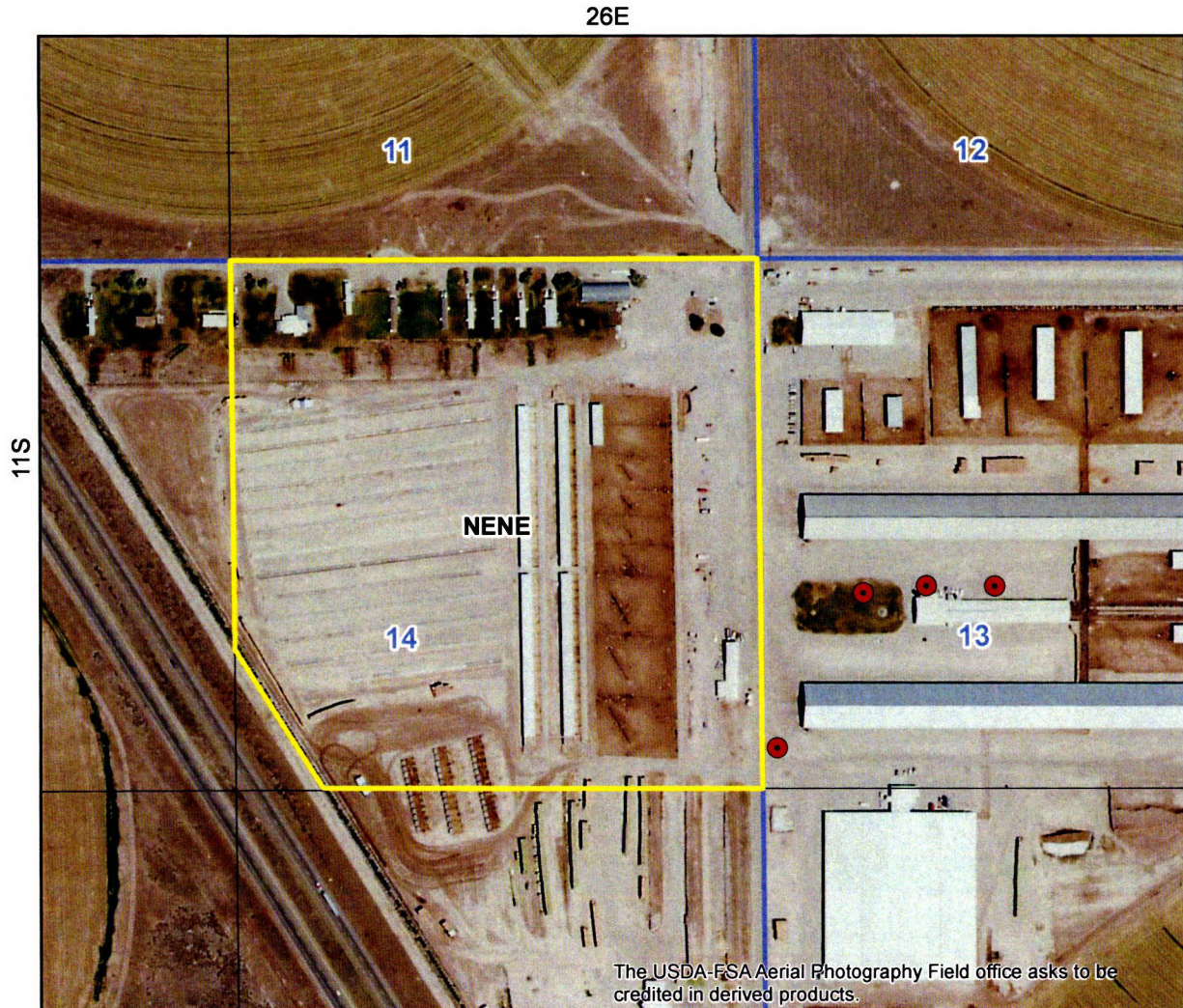
0 0.4 0.8 1.6 Miles



SCANNED
NOV 08 2022

State of Idaho
Department of Water Resources
Attachment to Transfer # 86488
43-2375B

This map depicts the DOMESTIC 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.



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

0 0.05 0.1 0.2 Miles



SCANNED
NOV 08 2022

State of Idaho
Department of Water Resources
Attachment to Transfer # 86488
43-2375B

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.

26E



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

0 0.05 0.1 0.2 Miles



SCANNED
NOV 08 2022



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

November 8, 2022

MIDWAY DAIRY LLC
2500 OVERLAND AVE
BURLEY ID 83318-2941

Re: Transfer No: 86488

Water Right No(s): 43-2366B, 43-2375B, 43-2555B

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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.

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,

A handwritten signature in blue ink, appearing to read "Corey Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

c:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

METROPOLITAN LIFE INSURANCE COMPANY
AGRICULTURAL INVESTMENTS
10801 MASTIN ST STE 930
OVERLAND PARK KS 66210-1677

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2022 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.: 86488

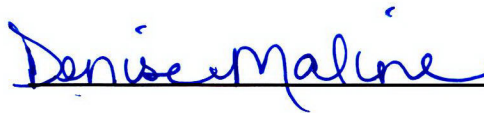
Water Right No(s): 43-2366B, 43-2375B, 43-2555B

MIDWAY DAIRY LLC
2500 OVERLAND AVE
BURLEY ID 83318-2941

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

METROPOLITAN LIFE INSURANCE COMPANY
AGRICULTURAL INVESTMENTS
10801 MASTIN ST STE 930
OVERLAND PARK KS 66210-1677

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098



Denise Maline
Administrative Assistant

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.

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.

MEMORANDUM

Date: September 23, 2022
To: Transfer 86488 File
From: William Mills
Re: Evaluation of Sufficiency of Information Submitted

Application is seeking to add an existing well as a fourth point of diversion (POD) to three stockwater and commercial ground water rights (combined 3.1 cfs & 590 af) utilized at an existing dairy facility. Application is also seeking to change the place of use (POU) to match current water use for both stockwater and commercial uses at the facility. POU and PODs are located approximately 20.6 to 23.0 miles east and 4.4 to 4.9 miles south of the intersection of Overland Ave and Main St in Burley.

PODs and POU are located in Water District 143, Watermaster comments were solicited and watermaster did not oppose approval of this application. The Watermaster did comment that an approved measuring device will be required on the new well as the diversion rate for this well now exceeds the 0.24 cfs measurement threshold.

- **Authority to File:**

IDWR records indicate the applicant currently owns the water rights. Application is seeking to consolidate the commercial POU to properties associated with the dairy facility. Statements of consent to remove the commercial POU were provided from owners of properties that are currently associated with the commercial POU but will not be included in the POU post transfer.

- **Water Right Validity:**

The water rights were decreed in the SRBA on 6/28/2002. Recent aerial and satellite imagery indicates the properties associated with the water rights appears to be an operating dairy facility.

- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
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.

*● Proof of Publication *●

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

SHERRI DAVIS, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES Southern Region
Denise Maliine Administrative Assistant
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 130736

Sherrie Davis

(Legals Clerk)

STATE OF IDAHO)
 SS
COUNTY OF TWIN FALLS)

On this 8 day of Sept in the year of 2022 before me, a Notary Public, personally appeared before me Sherrie Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Amy Wiesmore
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 9-4-26

Section: Legals

Category: 50 Legal

PUBLISHED ON: 09/01/2022, 09/08/2022

TOTAL AD COST: 84.66

FILED ON: 9/8/2022

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86488

MIDWAY DAIRY LLC, 2500 OVERLAND AVE, BURLEY, ID 83318-2941 has filed Application No. 86488 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2366B, 43-2375B, 43-2555B; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application is seeking to add an existing well as a fourth point of diversion (POD) to three stockwater and commercial ground water rights (combined 3.1 cfs & 590 af) utilized at an existing dairy facility. Application is also seeking to change the place of use (POU) to match current water use for both stockwater and commercial uses at the facility. POU and PODs are located approximately 20.6 to 23.0 miles east and 4.4 to 4.9 miles south of the intersection of Overland Ave and Main St in Burley.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **September 19, 2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 1st & 8th, 2022

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DEPT OF WATER RESOURCES
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Contact ID DEPARTMENT OF WATER RESOURCES

Address 1 650 ADDISON AVE W, STE 500

Address 2

City St Zip TWIN FALLS ID 83301

Phone 2087363033

Fax

Section Legals

SubSection

Category 50 Legal

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Notes

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 86488

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GARY SPACKMAN, Director

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✓ DM
8-30-2022