

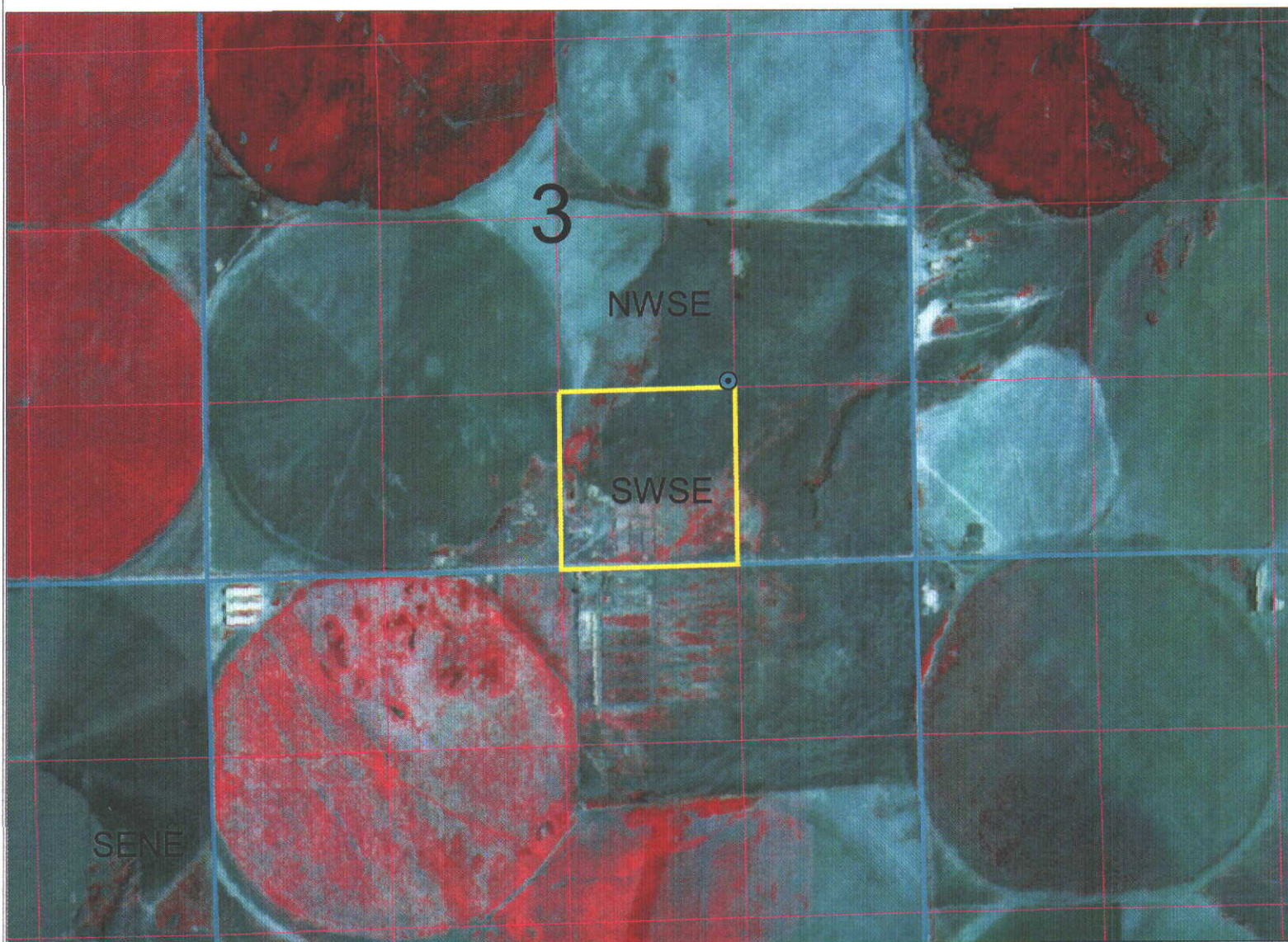


State of Idaho

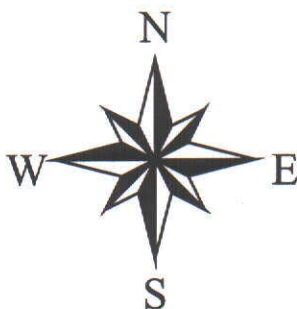
Department of Water Resources

Claim No.: 31-11776

T07N R37E



- Diversion.shp
- Place of use.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: January 2004

01/30/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-11776

NAME AND ADDRESS: CORNELISON-OLSON LLC
1588 W 1500 S
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.590 CFS
94.40 AFY

PRIORITY DATE: 11/12/1976

POINT OF
DIVERSION: T07N R37E S3 SENWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.590 CFS
94.40 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T07N R37E S03 SWSE 31.5

31.5 ACRES TOTAL

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

Prior to the diversion and use of water under Transfer approval 69883, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by transfer 69883 by January 15, 2005.

Failure of the right holder to comply with the conditions of transfer 69883 is cause for the Director to rescind approval of the transfer.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 31-11226.

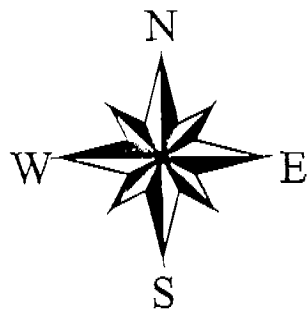


State of Idaho

Department of Water Resources

Claim No.: 31-11776

T07N R37E



- Diversion.shp
- Place of use.shp

- Sections
- QQ

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: January 2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-11776

NAME AND ADDRESS: CORNELISON-OLSON LLC
1588 W 1500 S
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.590 CFS
94.40 AFY

PRIORITY DATE: 11/12/1976

POINT OF
DIVERSION: T07N R37E S3 SENWSE Within JEFFERSON CountyPURPOSE AND
PERIOD OF USE:PURPOSE OF USE
IRRIGATIONPERIOD OF USE
04/01 11/01QUANTITY
0.590 CFS
94.40 AFYPLACE OF USE: IRRIGATION Within JEFFERSON County
T07N R37E S03 SWSE 31.5

31.5 ACRES TOTAL

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

Prior to the diversion and use of water under Transfer approval 69883, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by transfer 69883 by January 15, 2005.

Failure of the right holder to comply with the conditions of transfer 69883 is cause for the Director to rescind approval of the transfer.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 31-11226.

WATER RIGHT NO. 31-11776
As Modified by Transfer No. 69883

In accordance with the approval of Transfer No. 69883, Water Right No. 31-11776 is now described as follows.

Right Holder: GOLDEN EAGLE RANCH
PO BOX 519
REXBURG ID 83440

Priority Date: November 12, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.59 CFS	94.4 AF
			0.59 CFS	94.4 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER SENWSE Sec. 3 Twp 07N Rge 37E JEFFERSON
County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
07N	37E	3															31.5		31.5

Total Acres: 31.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. Prior to the diversion and use of water under Transfer approval 69883, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 31-11776
As Modified by Transfer No. 69883

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 15th day of January, 2004



Chief, Water Allocation Bureau

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant GOLDEN EAGLE RANCH Phone 208-356-3716

Post Office address POB 519, REXBURG, ID 83440

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes THIS LAND HAS BEEN INVOLVED IN A POTENTIAL LAND TRADE WITH THE BLM SINCE 1996. LAND WAS LOCATED THAT COULD SATISFY THE QUALIFICATIONS IN LATE 2001. NEGOTIATIONS WERE ENTERED INTO WITH THE BLM WHICH RESULTED IN A LETTER INDICATING THE TRADE WAS NO LONGER VIABLE UNDER THE ALTERED SCOPE AND MISSION OF THE BLM. SEE ATTACHMENTS #1 AND #2.

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

<u>1. Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
31-11226	11-12-1976	.59 CFS	IRRIGATION	4/01 to 11/01
31-11776				to
				to
				to

2. Total amount of water being transferred .59 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUND WATER tributary to _____

4. Point(s) of Diversion: T07N, R37E, SEC. 3, SE NW SE 1/4 WITHIN JEFFERSON COUNTY

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres 31.5

6. General Information:

a. Description of diversion system PUMP AND WELL LOCATED AT THE PIVOT POINT FOR A CENTER PIVOb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

THIS LAND HAS NOT BEEN IRRIGATED SINCE 1996 WHEN THE BLM OWNERSHIP
OF THIS LAND WAS BROUGHT TO OUR ATTENTION. SINCE THAT TIME WE HAVE
BEEN ACTIVELY SEARCHING FOR LAND TO TRADE THEREBY BRINGING A PERMANENT
SOLUTION TO THIS PROBLEM. TRANSFER WILL REMOVE WATER FROM PUBLIC LANDS.

d. Remarks:

THIS TRANSFER WOULD SATISFY THE DEMANDS OF THE SNAKE RIVER BASIN ADJUDICATION
AND THE BLM. IT WOULD ALSO ALLOW US TO PUT THIS WATER TO A PRODUCTIVE
BENEFICIAL USE. WE FEEL THE LOSS OF THIS WATER (WITHOUT THIS TRANSFER)
WOULD UNDULY PENALIZE US WHERE WE HAVE PURSUED THIS MATTER DILIGENTLY.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

For the Director

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

Current Water Right No. 31-11226

Priority Date: 11/12/1976

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER

Trib-

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	7.35 CFS	1,180.2 AFA	
	Total Diversion	7.35 CFS	1,180.2 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	08N 38E	7	NWNESE		FREMONT

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N 38E 6													31.5	31.5	31.5	31.5	126.0
08N 38E 7	33.0	34.0	33.0	34.0									33.0	34.0	33.0	34.0	268.0

Total Acres: 394

Conditions/Remarks:

1. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 31-07213, 31-07214E.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. 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.

Documentation of Ownership of the Current Place of Use. _____

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? _____

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer _____

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? _____

PART 2

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

YES If yes, describe SEE ATTACHMENT #1

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 587 / 94.35 for IRRIGATION purposes from 4/1 to 11/01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: T08N R38E S7 NW NE SE WITHIN FREMONT COUNTY.

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	SE	7	08N	38E	FREMONT	PUMP FOR #60, #61, #64.

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	38E	6														31.5			31.5

Total Acres _____

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

1. amount 6.76 / 1085.84 for IRRIGATION purposes from 4/01 to 11-01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: T08N R38E NW NE SE WITHIN FREMONT COUNTY.

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	SE	7	08N	38E	FREMONT	PUMP FOR #60, #61, #64.

3. Lands irrigated or place of use:

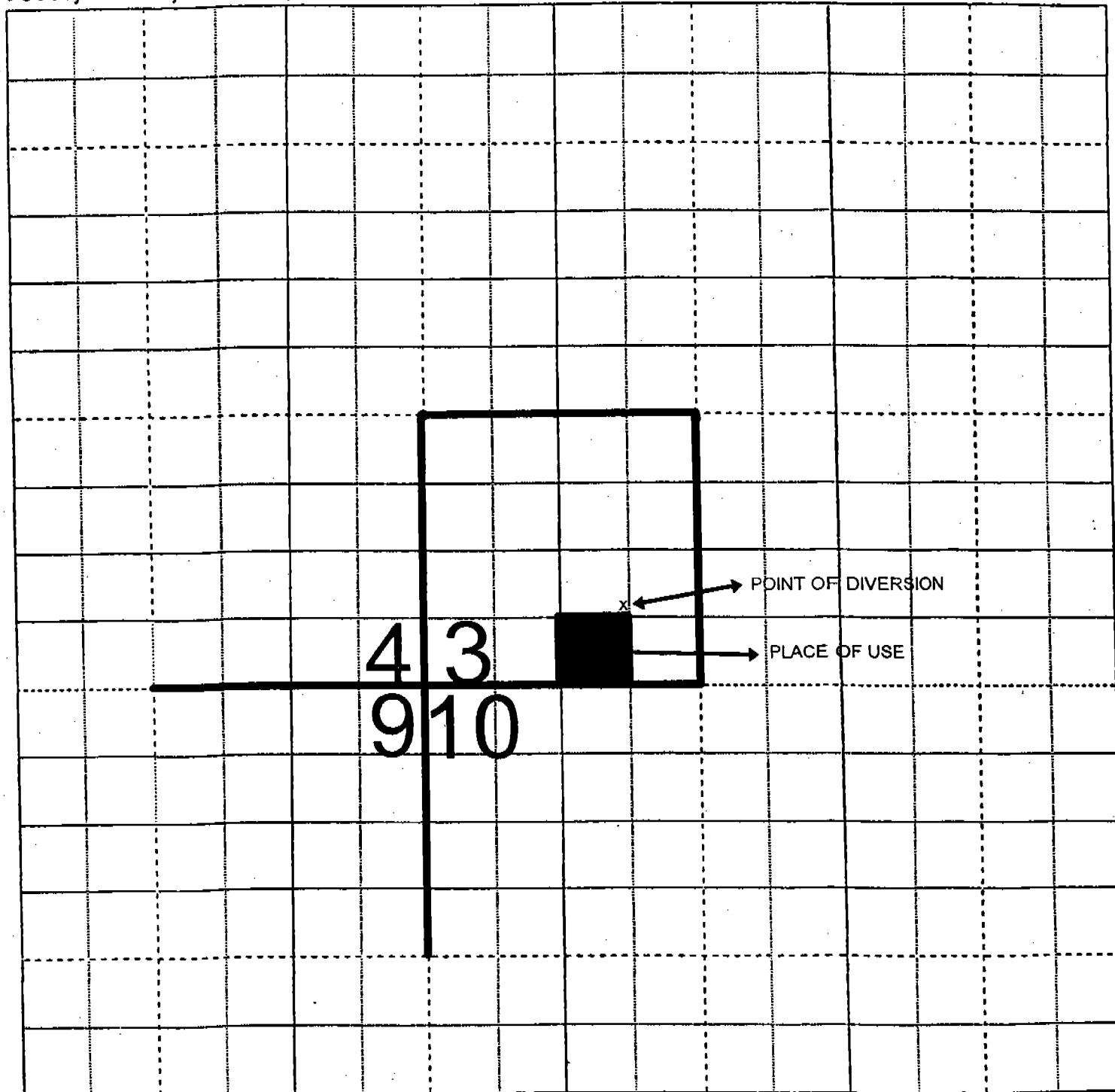
Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	38E	6													31.5		31.5	31.5	94.5
08NE	38E	7	33	34	33	34									33	34	33	34	268

Total Acres 362.5

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

T07N, R37E, SEC. 3, SW SE



Scale: 2 inches equal 1 mile. Draw plan in ink.

B. CHANGES IN NATURE OF USE

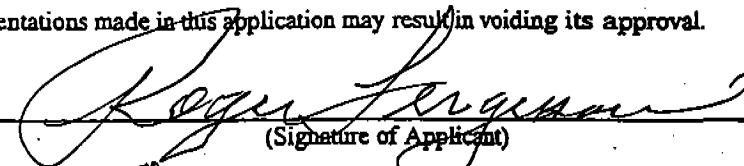
1.

New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
NONE			to _____ to _____
2. Quantity and quality of return flows and location of discharge:

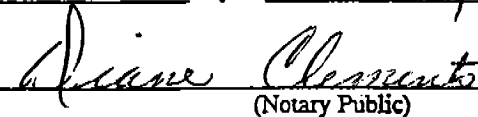
3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

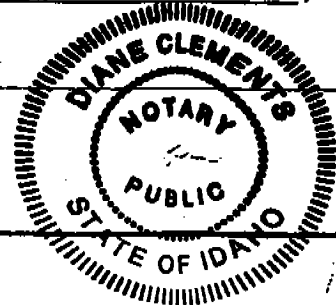
I understand that any willful misrepresentations made in this application may result in voiding its approval.


(Signature of Applicant)

Subscribed and sworn to before me this 11th day of July, 20 02


(Notary Public)

My commission expires 4/22/03



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by KCW Date 7/11/2002 10:15AM Protest filed by _____

Prelim. Check by KCW Fee \$50.00 E 027944

Received by KCW Date 7/11/2002

Published in Jefferson Star Copies of protest forwarded by _____

Pub. Dates July 24 & 31, 2002 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant GOLDEN EAGLE RANCH Phone 208-356-3716

Post Office address POB 519, REXBURG, ID 83440

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes THIS LAND HAS BEEN INVOLVED IN A POTENTIAL LAND TRADE WITH THE BLM SINCE 1996. LAND WAS LOCATED THAT COULD SATISFY THE QUALIFICATIONS IN LATE 2001. NEGOTIATIONS WERE ENTERED INTO WITH THE BLM WHICH RESULTED IN A LETTER INDICATING THE TRADE WAS NO LONGER VIABLE UNDER THE ALTERED SCOPE AND MISSION OF THE BLM. SEE ATTACHMENTS #1 AND #2.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
1 (364) 11226 31-11776	11-12-1976	.59 CFS	IRRIGATION	4/01 to 11/01
				to
				to
				to
				to

2. Total amount of water being transferred .59 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUND tributary to _____

4. Point(s) of Diversion: T07N R37E S1 SW NE NW WITHIN JEFFERSON COUNTY.

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres 31.5

6. General Information:

a. Description of diversion system PUMP AND WELL LOCATED AT THE PIVOT POINT FOR A CENTER PIVOb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

THIS LAND HAS NOT BEEN IRRIGATED SINCE 1996 WHEN THE BLM OWNERSHIP
OF THIS LAND WAS BROUGHT TO OUR ATTENTION. SINCE THAT TIME WE HAVE
BEEN ACTIVELY SEARCHING FOR LAND TO TRADE THEREBY BRINGING A PERMANENT
SOLUTION TO THIS PROBLEM. TRANSFER WILL REMOVE WATER FROM PUBLIC LANDS.

d. Remarks:

THIS TRANSFER WOULD SATISFY THE DEMANDS OF THE SNAKE RIVER BASIN ADJUDICATION
AND THE BLM. IT WOULD ALSO ALLOW US TO PUT THIS WATER TO A PRODUCTIVE
BENEFICIAL USE. WE FEEL THE LOSS OF THIS WATER (WITHOUT THIS TRANSFER)
WOULD UNDULY PENALIZE US WHERE WE HAVE PURSUED THIS MATTER DILIGENTLY.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 31-11226 issued by the Idaho Department of Water Resources.
- c. Claim No. 31-11226 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water GROUND WATER tributary to _____4. Date or priority 11-12-1976

5. Water is used for the following purposes:

amount 7.35 / 1180.20 for IRRIGATION purposes from 4/01 to 11/01
(cfs/ac-ft)

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

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

6. Total amount of water under right 7.35 cubic feet per second and/or 1180.20 acre-feet per annum.7. Point(s) of Diversion: T08N R38E S7 NW NE SE WITHIN FREMONT COUNTY

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	SE	7	08N	38E	FREMONT	PUMP FOR #60, #61, #64.

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	37E	6													31.5	31.5	31.5	31.5	126
08N	37E	7	33	34	33	34									33	34	33	34	268

Total Acres 394

9. Describe any other water rights used for the same purpose as described above _____

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS 31-07213, 31-07214E.

PART 2

Transfer No. 071002

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

YES If yes, describe SEE ATTACHMENT #1

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .587 / 94.35 for IRRIGATION purposes from 4/1 to 11/01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: T08N R38E S7 NW NE SE WITHIN FREMONT COUNTY.

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	SE	7	08N	38E	FREMONT	PUMP FOR #60, #61, #64.

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>8N</u>	<u>38E</u>	<u>6</u>																<u>31.5</u>	<u>31.5</u>

Total Acres _____

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

1. amount 6.76 / 1085.84 for IRRIGATION purposes from 4/01 to 11-01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: T08N R38E NW NE SE WITHIN FREMONT COUNTY.

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	SE	7	08N	38E	FREMONT	PUMP FOR #60, #61, #64.

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>08N</u>	<u>38E</u>	<u>6</u>													<u>31.5</u>		<u>31.5</u>	<u>31.5</u>	<u>94.5</u>
<u>08N</u>	<u>38E</u>	<u>7</u>	<u>33</u>	<u>34</u>	<u>33</u>	<u>34</u>									<u>33</u>	<u>34</u>	<u>33</u>	<u>34</u>	<u>268</u>

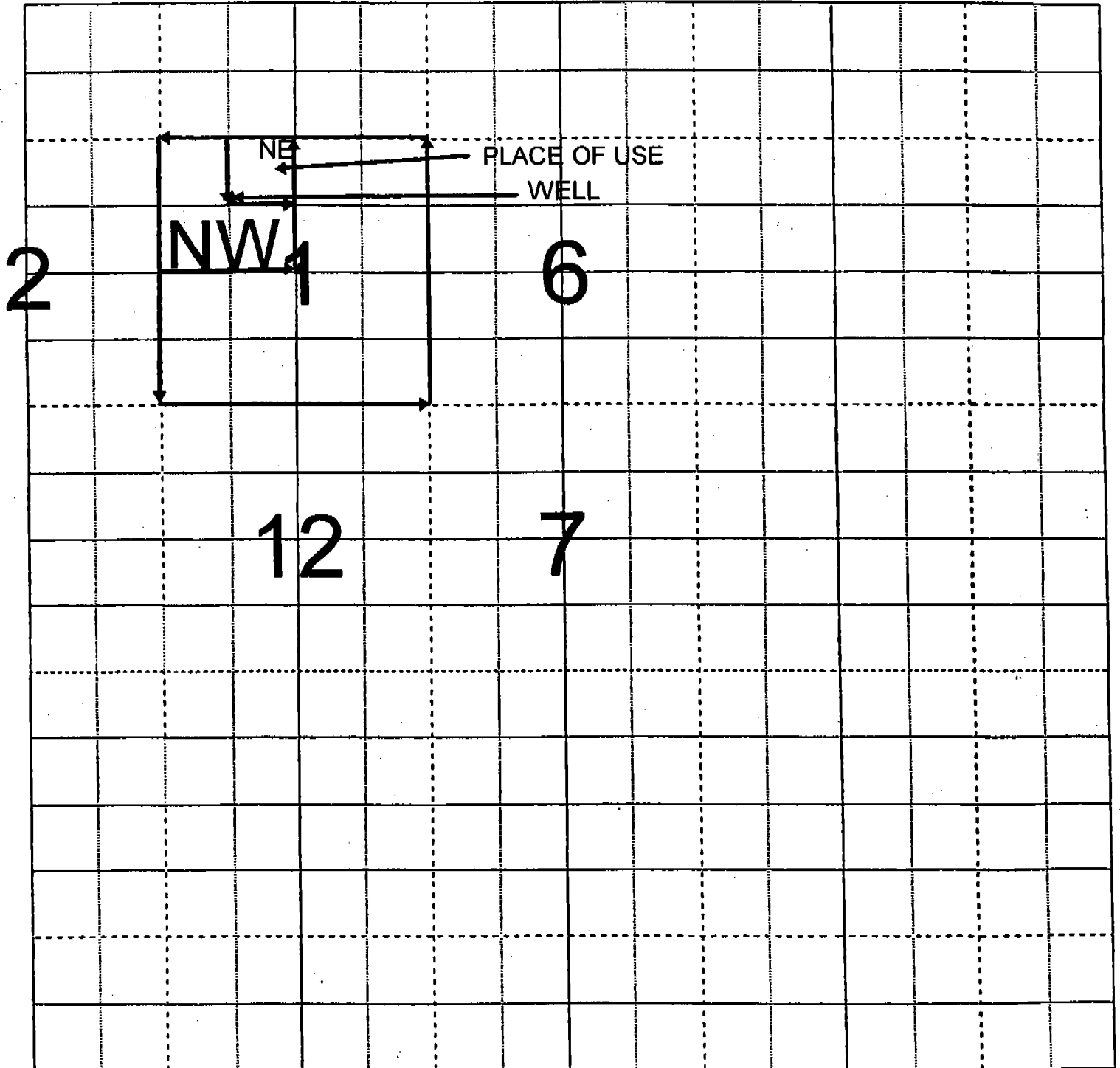
Total Acres 362.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

T07N R37E S01 NE NW WITHIN JEFFERSON COUNTY.



Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
NONE			to _____ to _____
2. Quantity and quality of return flows and location of discharge:

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

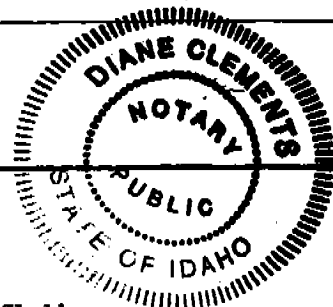
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Roger Ferguson
(Signature of Applicant)

Subscribed and sworn to before me this 30th day of April, 2002

Diane Clements
(Notary Public)

My commission expires 4/22/03



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$250.00

Received by Jefferson Star Date 5-2-02

Published in Jefferson Star Copies of protest forwarded by _____

Pub. Dates May 16 & 23, 2002 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 30, 2004

CORNELISON-OLSEN, LLC
1558 W 1500 S
REXBURG ID 83440

RE: Transfer #69883 (water right 31-11226 SPLIT INTO 31-11775 & 31-11776) and Notice of Completed Administrative Proceeding (NCAP)

Dear Claimant:

On January 26, 2004, the Idaho Department of Water Resources (IDWR) approved Transfer #69883, modifying a portion of the above referenced water right(s). Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Kristen Forsgren
Office Specialist 1

cc: GOLDEN EAGLE RANCH

In Re SRBA

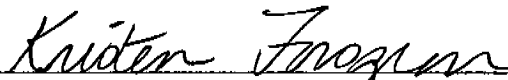
Case No. 39576

Page 1

CERTIFICATE OF MAILING

I certify that on January 30, 2004, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
GOLDEN EAGLE RANCH
C/O ROGER & SYBIL FERGUSON
PO BOX 519
REXBURG ID 83440
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
CORNELISON-OLSEN, LLC
1558 W 1500 S
REXBURG ID 83440
4. One copy to:
Each party in the subcase, or attorney of record
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCE DIV
550 WEST FORT ST MSC 033
BOISE ID 83724
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form



State of Idaho

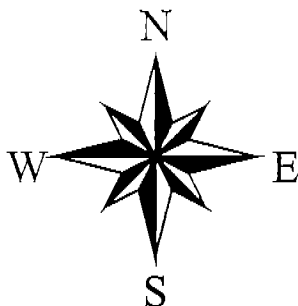
Department of Water Resources

Claim No.: 31-11776

T07N R37E



- Diversion.shp
- Place of use.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: January 2004

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JAN 06 2004

Department of Water Resources
Eastern Region

RECEIVED

JAN 26 2004

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. Department of Water Resources
Eastern Region
 adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
~~31-11776~~	~~31-11776~~				
\$0	-adj		\$25	31-7048	-wr
\$25	31-7281	-wr	\$25	31-7046	-wr
\$25	31-7215	-wr	\$25	31-2445	-wr
\$25	31-7047B	-wr	\$25	31-11343	-wr
\$25	31-7047A	-wr	\$25	31-7206	-wr
\$25	31-2444	-wr	\$25	31-10520	-wr

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$275-
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights(s) or claims(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Roger N. Ferguson & Sybil R. Ferguson. d/b/a Golden Eagle Ranch
P.O. Box 519, Rexburg, ID 83440
4. New Owner/Claimant(s) Cornelison-Olsen, LLC
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 1558 W. 1500 S.
 City, State and ZIP Code Rexburg, ID 83440
 New Telephone Number (208) 662-5751
5. Date you acquired the property June 12, 2003

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) or Claimant(s) Scott Clawson
(include title if applicable) Special Projects MGR.

For Snake River Basin Adjudication Claims: Please attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

For Office Use Only

Received by gsc Date 1-27-04 Fee \$275-
 Received by gsc Date 1-27-04 Receipt No. E029492
 Processed by _____ Date _____ WR _____ Date _____

KX31237

2523735
WEST AMERICAN TITLE

481853 #323485

WARRANTY DEED

THIS INDENTURE is made this 12th day of June, 2003, by ROGER N. FERGUSON and SYBIL R. FERGUSON, husband and wife, the "Grantor", to — CORNELISON-OLSEN, LLC, an Idaho limited liability company, whose mailing address is 1558 West 1500 South, Rexburg, Idaho 83440, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described real property in the Counties of Jefferson and Fremont, State of Idaho, to-wit:

Parcel 1:

Township 7 North, Range 37 E.B.M., Jefferson County, Idaho

Section 1: W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 2: E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 3: W $\frac{1}{2}$, EXCEPTING THEREFROM: The South 30 feet of the SW $\frac{1}{4}$; SESection 9: W $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$, EXCEPTING THEREFROM: North 30 feet of the NE $\frac{1}{4}$.

ALSO: Commencing at a point 500.82 feet S. of the NE corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, Township 7 North, Range 37 E.B.M., Jefferson County, Idaho, and running thence N. 500.82 feet to said NE corner; thence running W. 800 feet; thence in a Southeasterly direction 986 feet, more or less, to the point of beginning.

Section 10: E $\frac{1}{2}$; W $\frac{1}{2}$, EXCEPTING THEREFROM: The North 30 feet of the NW $\frac{1}{4}$

Parcel 2:

Township 8 North, Range 37 E.B.M., Fremont County, Idaho

RECEIVED BY
ASSESSORFor PLATTING
6/17/03 Time 9:44

Microfilm No. 323485
June 17 2003
At 9:44 O'clock A M
CHRISTINE BOULTER
Jefferson Co. Recorder 12.00
Fee \$ 86 Deputy
Recorded at Request of RAT-CD

Section 12: SE $\frac{1}{4}$
Section 13: NE $\frac{1}{4}$

Parcel 3:

Township 8 North, Range 38 E.B.M., Fremont County, Idaho

Section 6: NE $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$

LESS THE FOLLOWING: Beginning at a point which is 780 feet North of the SE corner of the SE $\frac{1}{4}$ of Section 6, Township 8 North, Range 38 E.B.M., and running thence West 20 feet; thence North 30 feet; thence East 20 feet; thence South 30 feet to the point of the beginning.

TOGETHER WITH a 20 foot road easement for the purpose of the ingress and egress along the East line of the SE $\frac{1}{4}$, Section 6, Township 8 North, Range 38 E.B.M.

Section 7: E $\frac{1}{2}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; Lot 3; Lot 4; E $\frac{1}{2}$ SW $\frac{1}{4}$

LESS THE FOLLOWING: Beginning at the East $\frac{1}{4}$ corner of Section 7, Township 8 North, Range 38 E.B.M., and running thence S. 0°01'11" W., along the section line 83 feet; thence N. 89°58'49" W. on a line half way between two potato cellars, 640 feet; thence N. 0°01'11" E. 217 feet; thence S. 89°58'49" E. on a line half way between two potato cellars to the East line of Section 7, 640 feet; thence S. 0°01'11" W. along said section line, 134 feet to the point of beginning.

TOGETHER WITH two 30 foot road easements for the purpose of the ingress and egress to above described property. The centerline of one said road beginning 520 feet, more or less, North of the East $\frac{1}{4}$ corner of Section 7, Township 8 North, Range 38 E.B.M. and running Southwesterly to the above described property. The centerline of one said road beginning 480 feet South of the East $\frac{1}{4}$ corner of Section 7, Township 8 North, Range 38 E.B.M. and running Northwesterly to the above described property.

Section 18: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; Lot 1; Lot 2

LESS THE FOLLOWING: Beginning at the Northeast corner of Section 18, Township 8 North, Range 38 E.B.M. and running thence South, along the section line, 384.7 feet; thence West, on a line half way between two metal grain bins, 125 feet; thence North, to the North line of Section 18, 385 feet; thence East along said section line, 125 feet, more or less, to the point of beginning.

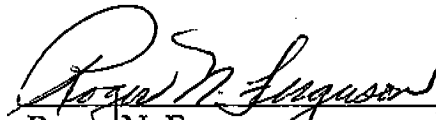
SUBJECT to all taxes, easements and other matters of record now existing on the above-described property and all existing patent reservations.

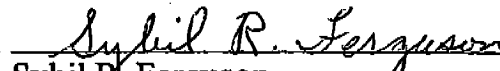
TOGETHER with all well rights, water and water rights and all other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof, subject to the matters set forth above.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.


Roger N. Ferguson

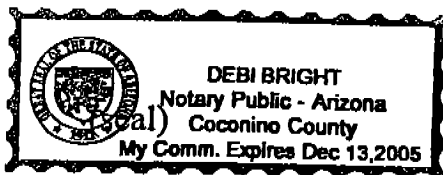

Sybil R. Ferguson

ARIZONA
STATE OF IDAHO)
County of Coconino)ss.

481853

On the 12th day of June, 2003, before me, the undersigned, a notary public in and for said State, personally appeared Roger N. Ferguson, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

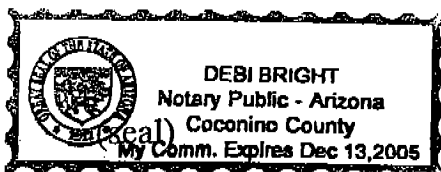


Debi Bright
Notary Public for ~~Idaho~~ ARIZONA
Residing at Munds PARK
My Commission Expires: DEC. 13, 2005

ARIZONA
STATE OF IDAHO)
County of Coconino)ss.

On the 12th day of June, 2003, before me, the undersigned, a notary public in and for said State, personally appeared Sybil R. Ferguson, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Debi Bright
Notary Public for ~~Idaho~~ ARIZONA
Residing at Munds PARK
My Commission Expires: DEC. 13, 2005

C:\Eudora\attach\Ferguson.CO.42103.wd.frm.wpd

481853

Microfilm No. 17 Day June 20 03
13:30 O'Clock P M
ABBIE MACE
FREMONT CO RECORDER
Fee 12 Deputy
Recorded at Request of
First American Title Company

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 31-11776 V1

WATER RIGHT NUMBER: 31-11776 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GOLDEN EAGLE RANCH PO BOX 519 REXBURG, ID 83440 (208)356-3716
Current Owner	CORNELISON-OLSON LLC 1588 W 1500 S REXBURG, ID 83440 (208)356-0396

Priority Date: 11/12/1976

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.590 CFS	94.40 AF
	<u>Total Diversion:</u>	0.590 CFS	94.40 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4SE1/4	Sec. 3, Twp 07N, Rge 37E, B.M.
JEFFERSON County		

Place of UseIRRIGATION Within JEFFERSON County

T07N R37E S03 SWSE 31.5

Total Acres: 31.5

Conditions of Approval:

- EXP* 1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. 131 Prior to the diversion and use of water under Transfer approval 69883, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
- EXP* 4. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- EXP* 5. T07 The right holder shall accomplish the change authorized by ~~this transfer within one (1) year of the date of this approval.~~ *69883 by*
- EXP* 6. T08 Failure of the right holder to comply with the conditions of ~~this transfer~~ *69883* is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 31-11776 V1

7. ^{C18}~~119~~ Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Remarks:Comments:

1. psdaggs 1/15/2004 2:29:44 PM Transferred Right
 Comment: This is now a approved transfer, transfer number = 69883

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre: 0.02
 Generic Max Volume Per Acre: 3.5
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:Status

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>
----------------	---------------------------	-----------------	---------------------------	-----------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	1/29/2004 11:17:00 AM	ecarlson	Edited point location