

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 21 2021

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources
Eastern Region

Name of Applicant(s) Prospector Farms LLC Phone 208.317.6323
Mailing address 2841 W 1700 S, Aberdeen, ID 83210 Email klassenstephen@gmail.com

- ☐ 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.

 Stephen Klassen - Member 5/21/2021
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

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. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. 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.3**.
Create combined place of use for 4 water rights to reflect current configuration.

T85378

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-7971	0.06 cfs	Irrigation	4/1 to 11/1	Ground water
☒ ☐	35-8111	0.02 cfs	Irrigation	4/1 to 10/31	Ground water
☒ ☐	35-14547	3.72 cfs	Irrigation	4/1 to 11/1	Ground water
☒ ☐	35-14548	3.72 cfs	Irrigation	4/1 to 11/1	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.52 cfs cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.20 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	31E	21																5	5
4S	31E	22					31	31	40	34	14	40	38						228
Total Acres (for irrigation use)																			233

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:

Well with pump & booster to pivot and wheel lines. Flowmeter already installed.

- b. Who owns the property at the point(s) of diversion? Applicant

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?

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: Contract with previous owner, Mike Heaney.

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The portion of the right being changed will be dried up.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

ASCC shares on portions of the current and proposed place of use.

- g. 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:

5/21/2021

Owner Type	Name
Current Owner	PROSPECTOR FARMS LLC
Priority Date: 3/31/1981	
Basis: Deceased	
Status: Active	

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.060 CFS	12.8 AF
	Total Diversion		0.060 CFS	12.8 AF

<u>Source and Point(s) of Diversion</u>		
GROUND WATER	NESWSW	Sec. 22, Twp 04S, Rge 31E, BINGHAM County

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	31E	22						4.0											4.0

POU Total Acres: 4.0

Conditions of Approval:		
1.	X27	This right is limited to the irrigation of 3.2 acres within the authorized place of use in a single irrigation season.
2.	X35	Rights 35-7971 and 35-8111 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 16 af at the field headgate, and the irrigation of 4.0 acres.
3.	R05	Use of water under this right will 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. 120.
4.	R02	A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5.	214	Prior to the diversion and use of water under Transfer approval 82926, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
6.	213	Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7.	R64	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 lands

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/21/2021

- above.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 10. T19 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.

Dates and Other Information

Decreed Date: 1/31/2002

State or Federal: S

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/21/2021

Water Right 35-8111

Owner Type **Name**
Current Owner PROSPECTOR FARMS LLC
Priority Date: 3/9/1983
Basis: License
Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.020 CFS	3.2 AF
	Total Diversion		0.020 CFS	3.2 AF

Source and Point(s) of Diversion
GROUND WATER SWSW Sec. 22, Twp 04S, Rge 31E, BINGHAM County

Place Of Use
IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	22						4.0											4.0

Right Acre Limit: 0.8

POU Total Acres: 4.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 0.8 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-7971 and 35-8111 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 16 af at the field headgate, and the irrigation of 4.0 acres.
3. R05 Use of water under this right will 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. 120.
4. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. 214 Prior to the diversion and use of water under Transfer approval 82926, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. R64 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 lands

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/21/2021

- above.
8. 943 The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates and Other Information

Licensed Date: 12/12/1994

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/21/2021

Water Right 35-14547

Owner Type **Name**
Current Owner PROSPECTOR FARMS LLC
Priority Date: 3/31/1981
Basis: Decreed
Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	3.720 CFS	743.2 AF
	Total Diversion		3.720 CFS	743.2 AF

Source and Point(s) of Diversion
GROUND WATER NESWSW Sec. 22, Twp 04S, Rge 31E, BINGHAM County

Place Of Use
IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	22					31.0	33.0	40.0	34.0	13.0	40.0	38.0						229.0

Right Acre Limit: 185.8

POU Total Acres: 229.0

Conditions of Approval:

1. T19 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.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. X27 This right is limited to the irrigation of 185.8 acres within the place of use described above in a single irrigation season.
4. R05 Use of water under this right will 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. 120.
5. R64 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 lands above.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 131 Prior to the diversion and use of water under Transfer approval 75322, 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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/21/2021

8. T08 water diverted from power records or to maintain an existing measuring device.
Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. X35 Rights 35-14547 and 35-14548 when combined shall not exceed a total diversion rate of 4.44 cfs, a total annual maximum diversion volume of 916 af at the field headgate, and the irrigation of 229 acres.

Dates and Other Information

Decreed Date: 1/31/2002

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/21/2021

Water Right 35-14548

Owner Type **Name**
Current Owner PROSPECTOR FARMS LLC
Priority Date: 3/9/1983
Basis: License
Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.860 CFS	172.8 AF
	Total Diversion		0.860 CFS	172.8 AF

Source and Point(s) of Diversion
GROUND WATER SWSW Sec. 22, Twp 04S, Rge 31E, BINGHAM County

Place Of Use
IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	22					31.0	33.0	40.0	34.0	13.0	40.0	38.0						229.0

Right Acre Limit: 43.2

PQU Total Acres: 229.0

Conditions of Approval:

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. X27 This right is limited to the irrigation of 43.2 acres within the place of use described above in a single irrigation season.
4. 131 Prior to the diversion and use of water under Transfer approval 75322, 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.
5. 104 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water 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.
6. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/21/2021

7. R05 Use of water under this right will 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. 120.
8. X35 Rights 35-14547 and 35-14548 when combined shall not exceed a total diversion rate of 4.44 cfs, a total annual maximum diversion volume of 916 af at the field headgate, and the irrigation of 229 acres.
9. R64 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 lands above.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Dates and Other Information

Licensed Date: 12/12/1994

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

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.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

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 right(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**.

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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

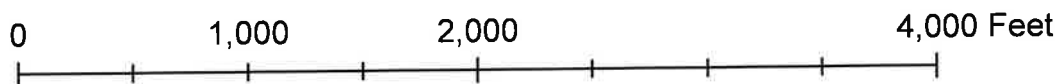
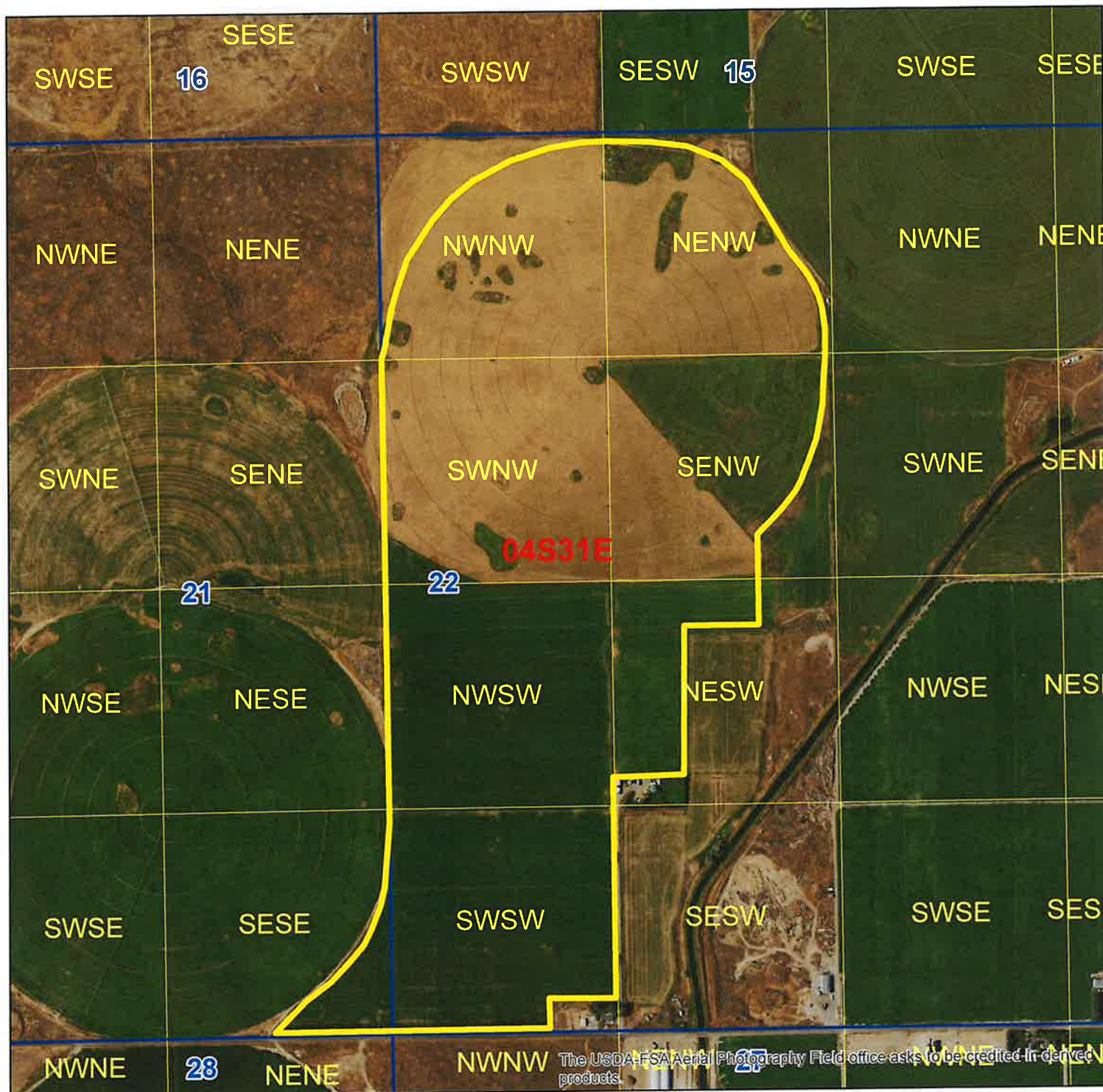
Fee paid: \$200.00 Date 5/21/21 Received by Qx H Receipt # E046980

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

T95378

Prospector Farms Transfer



Legend

☐ Proposed POU

Township/Range

Sections

QQ

Map #2
M-39-12 & M-40-4

Parcel 263 & 626 80 Shares total



Recommend:
Resolution to transfer
only extra shares to
these lands -

What lands (in red)
are irrigated from the
Canal -
We need to identify w/
the GW rights to make
sure all provisions are
covered -

no shares -
possibly surface water used
no shares / certificate
is in boundaries

1:36,112
0 0.23 0.45 0.7 0.9 mi
0 0.35 0.7 1.4 km

Parcel 626
Cwt #5157
40 Shares

Parcel 263
Cwt 5609
Parcel 626
Cwt 5157
40 Shares

Amador Farms LLC

7/16/2019, 2:36:09 PM

04S31E22N1W1W

04S31E22N1ENW

04S31E22N1NE

04S31E22N1ENE

04S31E22S1W1W

04S31E22S1ENW

04S31E22S1NE

04S31E22S1ENE

1-23B

m 40.2

04S31E22N1W1SW

04S31E22N1ESW

04S31E22N1W1SE

04S31E22N1ESE

m 40.4

m 40.1

04S31E22S1W1SW

04S31E22S1E1SW

04S31E22S1W1SE

04S31E22S1ESE

m 40.7

m 40.8

04S31E22N1W1NW

04S31E22N1ENW

04S31E22N1W1NE

04S31E22N1ENE

Holliday, Michael

From: Stephen Klassen <klassenstephen@gmail.com>
Sent: Thursday, June 24, 2021 2:48 PM
To: Holliday, Michael
Subject: permission signatures
Attachments: Water Use Permission- signed.pdf

Hello Michael,

Attached are three signed papers you requested:

1. Permission from Chris Pratt to transfer our water to his property.
2. Notification to Michael Heaney (who holds the note on the property loan.)
3. Permission from Michael Heaney to use our water on his property.

If you need to contact me for anything, my cell number is: 208-317-6323. Thanks!

Steve Klassen, Prospector Farms LLC

Water Transfer Permission

This is to certify that PEP LLC is granting permission to Prospector Farms LLC to transfer four acres use of water shares from land owned by Prospector Farms LLC to land owned by PEP LLC, located in Bingham County, Idaho, the extreme SE corner of the SE1/4, SE1/4, S21, T4S, R31E. The water remains the property of Prospector Farms LLC, but is being transferred for the purpose of irrigating crops.

The signatures below confirm that the transfer is being made with the mutual consent of the responsible persons of both entities.

A handwritten signature in blue ink, appearing to read "Chris Pratt", written over a horizontal line.

Chris Pratt, owner, PEP LLC

A handwritten signature in blue ink, appearing to read "Steve Klassen", written over a horizontal line.

Steve Klassen, owner, Prospector Farms LLC

Water Use Transfer Notification

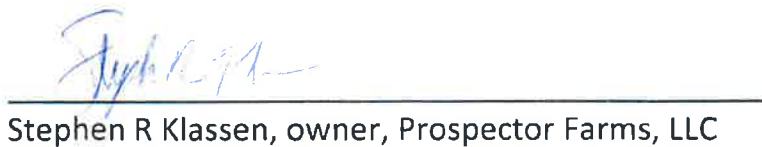
A proposal has been made by Prospector Farms LLC to transfer the use of four acres of irrigation water from the NW1/4, NW1/4, of Section 22, T4S, R31E, Bingham County, Idaho, to the SE1/4, SE1/4, of Section 21, T4S, R31E, Bingham County, Idaho, onto property owned by PEP, LLC for the purpose of irrigating crops.

Prospector Farms LLC has purchased the property from which the water is being taken, from Michael Heaney, of Aberdeen, Idaho, and is currently making annual payments on the note held by Mr. Heaney. This notice has been signed by Michael Heaney to certify that he is aware of the proposed transfer, and is in full agreement with it.

Signed on this day, May 25, 2021:



Michael Heaney



Stephen R Klassen, owner, Prospector Farms, LLC

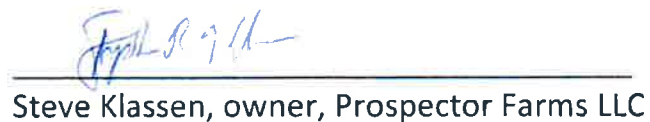
Water Transfer Permission

This is to certify that Michael Heaney, an individual, is granting permission to Prospector Farms LLC to transfer use of water shares from land owned by Prospector Farms LLC to land owned by Michael Heaney, located in Bingham County, Idaho, the SE1/4, SW1/4, S22, T4S, R31E. The water remains the property of Prospector Farms LLC, but is being transferred for the purpose of irrigating crops.

The signatures below confirm that the transfer is being made with the mutual consent of the responsible persons of both entities.



Michael Heaney



Steve Klassen, owner, Prospector Farms LLC