

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 84777

**MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED  
FEB 25 2021

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

Name of Applicant(s) Brett or Trudy Williams

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

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

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

**Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.**

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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Brett or Trudy Williams Phone (208)588-3317h/589-1324  
Mailing address 3962 N 3580 W, Moore, Idaho 83155 Email brettttrudy@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 Rocky Mountain Environmental Associates, Inc Phone 208-524-2353  
Mailing address 482 Constitution Way Ste 303, Idaho Falls, ID 83402 Email kristin.rmea@gmail.com

- ☐ 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.

Brett Williams Brett Williams 2-24-21  
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Trudy Williams Trudy Williams 2-24-21  
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

### A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
- 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**.
- 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**.  
The applicant proposes to reconfigure the place of use for right 34-7054A to reflect current usage. Due to difficulty in getting water to the original place of use (due to topography), the water has been used to irrigate the proposed lands. Surface water rights are appurtenant to the proposed POU that are used in combination with 34-7054A.

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| All or Part<br><input checked="" type="checkbox"/> <input type="checkbox"/> | 34-7054A     | 5.86                  | Irrigation    | 4/01 to 11/01 | Ground water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |

Total authorized under rights 5.86 cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed 5.86 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 |             |
| 06N                              | 26E | 17  |      |    |    |    | 34   | 35 | 35 |    |      | 1  |    |    |      |    |    |    | 105         |
| 06N                              | 26E | 8   |      |    |    |    | 29   | 26 | 37 | 39 | 9.6  | 10 | 36 | 35 |      |    |    |    | 221.6       |
| 06N                              | 26E | 5   |      |    |    |    |      |    |    |    |      |    | 52 | 12 |      |    |    |    | 64          |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    | 390.6       |

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:

Existing well will deliver water through a pivot irrigation system. Measuring device already installed.

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

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: \_\_\_\_\_

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:

Land now irrigated will be retired from irrigation or otherwise included in proposed POU.

- 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:

The water right at the existing POU is 34-7054A. Overlapping water rights at the

proposed POU are: 34-7a, 34-20a, 34-569e, 34-13582, 34-608b, 34-253b, 34-10634, 34-13581,

34-18, 34-8a, 34-609b, 34-19, and Big Lost River Irrigation District. All overlapping rights are used for irrigation.

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

Yes No

- |                          |                                     |                                                                                               |
|--------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

1/12/2021

Water Right Report

# IDAHO Department of Water Resources



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to [call ahead for an appointment](#).

## WATER RIGHT REPORT

1/12/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-7054A

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | ELEANOR FULLMER                                                            |
| Current Owner     | ALBERT W FULLMER JR<br>3960 N 3650 W<br>MOORE, ID 83255-8749<br>2085883383 |
| Original Owner    | ALBERT W FULLMER JR<br>LESLIE, ID 83255                                    |
| Security Interest | IDAHO AGCREDIT PCA<br>PO BOX 985<br>BLACKFOOT, ID 83221-0985<br>8006868910 |

Priority Date: 12/10/1973

Basis: Decreed

Status: Active

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

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 4/01        | 11/01     | 5.86 CFS              | 1367.1 AFA    |
| Total Diversion       |             |           | 5.86 CFS              | 1367.1 AFA    |

Location of Point(s) of Diversion:

1/12/2021

Water Right Report

GROUND WATER|SWSWSE|Sec. 08|Township 06N|Range 26E|BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 06N      | 26E   | 8       |     | NESW  | 20    |     | NWSW  | 10.6  |     | SESW  | 40    |     |       |       |
|          |       |         |     | NESE  | 20    |     | NWSE  | 20    |     | SWSE  | 40    |     | SESE  | 40    |
|          |       | 17      |     | NENE  | 40    |     | NWNE  | 40    |     | SWNE  | 40    |     | SENE  | 40    |
|          |       |         |     | NENW  | 40    |     |       |       |     |       |       |     |       |       |

Total Acres: 390.6

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 06/22/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

**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 ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by \_\_\_\_\_ Date \_\_\_\_\_ Preliminary check by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \$480.00 (check #980) Date 2/25/21 Received by CA dh Receipt # F046674

Add'l fee paid \$365.- Date 2/11/2021 Received by JK Receipt # E0410715

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



COPY. *original being held by Fullmer's*

Order Nos. 5912LRT  
175567

### Warranty Deed

For value received,

Albert W. Fullmer, Jr. and Eleanor C. Fullmer, husband and wife,

the grantor, does hereby grant, bargain, sell, and convey unto

Brett T. Williams and Trudy S. Williams, Husband and Wife, and Leon L. Williams, an unmarried man,

whose current address is 3962 N. 3580 W., Moore, ID 83255

the grantee, the following described premises, in Butte and Custer Counties, Idaho, to wit:

See attached EXHIBIT "A" (Custer County) and EXHIBIT "B" (Butte County)

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

19 May 2015  
Date

Albert W. Fullmer Jr.  
Albert W. Fullmer Jr.

Eleanor C. Fullmer  
Eleanor C. Fullmer

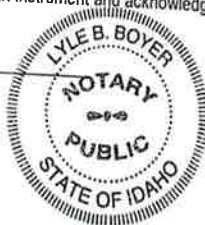
State of Idaho

County of Butte

ss.

On this 1st day of May in the year of 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Albert W. Fullmer, Jr. and Eleanor C. Fullmer, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Lyle B. Boyer  
Notary Public  
Residing at: Arco, Idaho  
My Commission Expires: 6-5-2015  
(seal)



84777

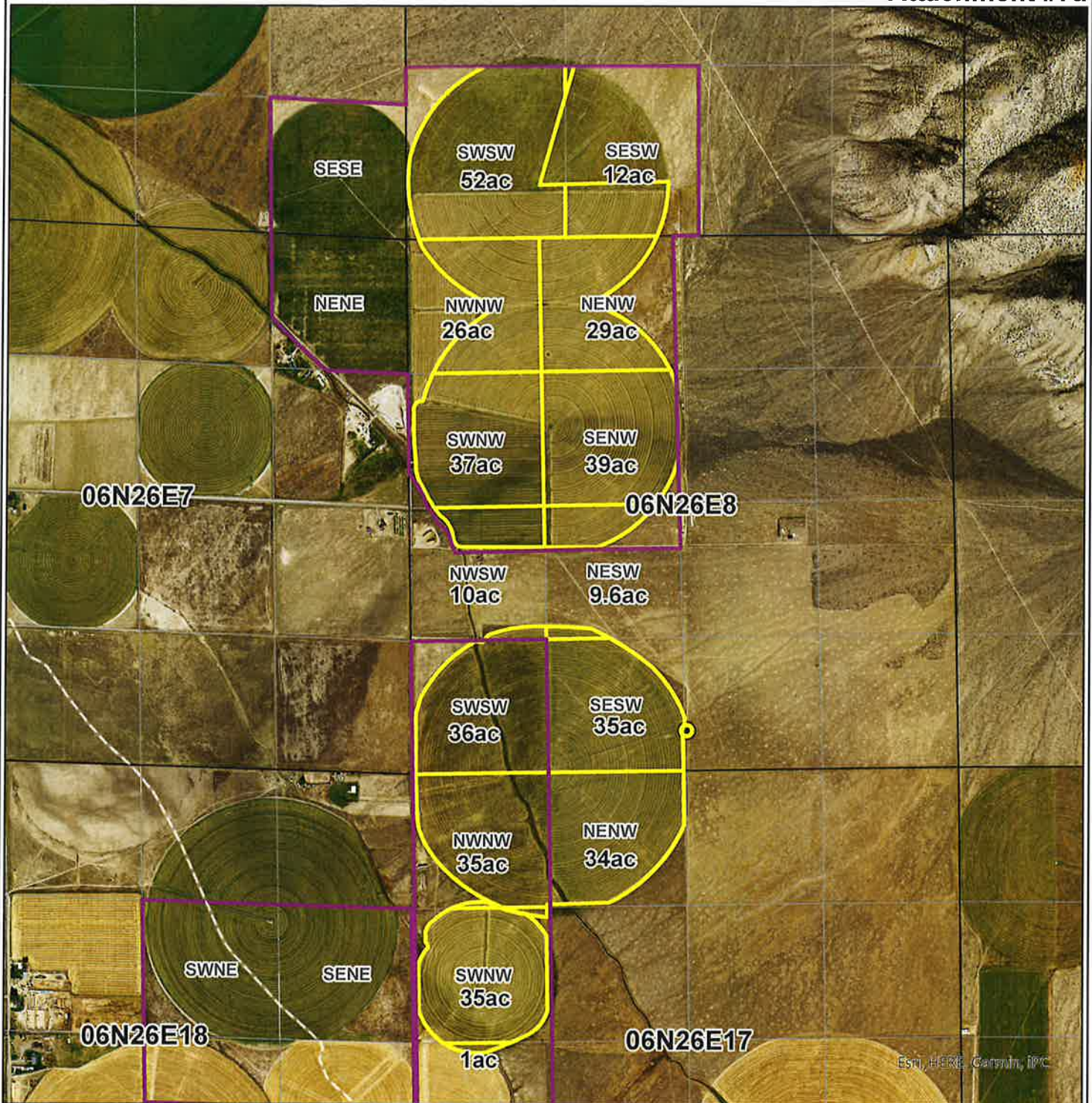
EXHIBIT "B" (Butte County)

Township 6 North, Range 26 East of the Boise Meridian, Butte County, Idaho

Section 8: SE1/4SW1/4; S1/2SE1/4, and the South 882.75 feet of the N1/2S1/2, LESS that portion of the South 882.75 feet of the N1/2S1/2 lying West of the Burnett Canal Right-of-Way.

TOGETHER WITH an existing 40 foot wide roadway for access, along the South boundary of the N1/2S1/2, lying West of the Burnett Canal.

Section 17: NE1/4; NE1/4NW1/4



0 0.17 0.35 0.7 Miles

2019 NAIP Imagery

POD

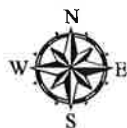
WR POU 34-7a et al

Proposed Boundary (390.6ac)

Townships

Sections

QQ



## Proposed Water Right

Brett or Trudy Williams

Project #: 15-0067

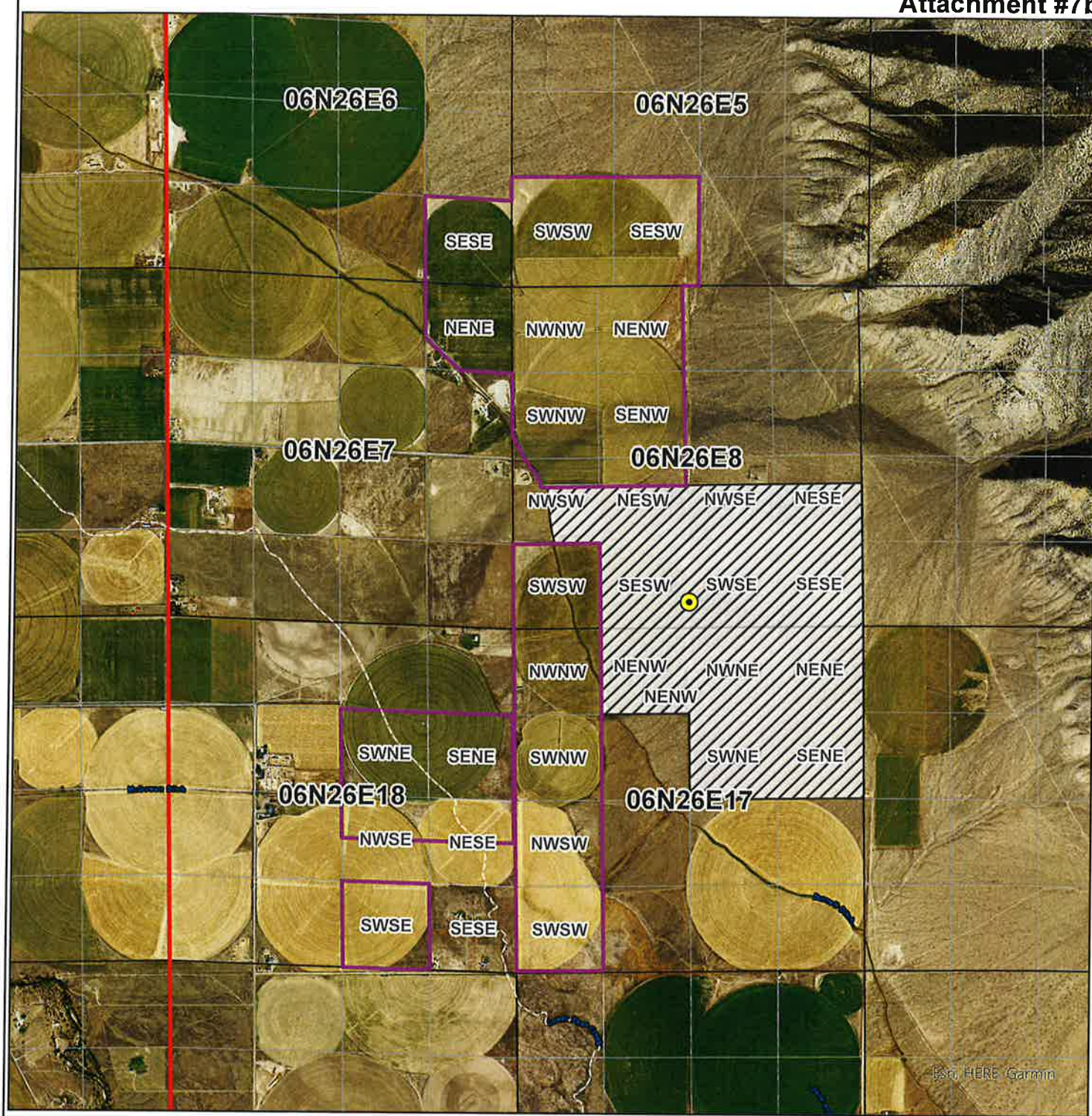
Drawn by: AD

Date: 2/15/2021

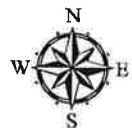


Rocky Mountain  
**ENVIRONMENTAL**  
ASSOCIATES, INC.

84777



- Existing Boundary
- Sections
- Water Right #34-7054A
- QQ
- WR POU 34-7a et al
- POD
- Townships



## Existing Water Right

Brett or Trudy Williams

Project #: 15-0067  
 Drawn by: AD  
 Date: 2/9/2021



Idaho Department of Water Resources

**WMIS**

## Water Management Information System

Quick Search:

[For assistance, email WMIS Info](#)

Search Method:

WMIS Number ▼

WMIS Number

249

[Login](#)

Search

[Point Of Diversion](#) [PCC](#) [Flow Meter](#) [Time Clock](#) [Alternate](#) [Contacts](#) [Data Summary](#) [Other](#) [Logout](#)**Data Summary**

You are viewing 249, A0003615

| Report Year | Alternate | FM     | PCC  | Time Clock |
|-------------|-----------|--------|------|------------|
| 2020        |           | 719.84 |      |            |
| 2019        |           | 718.73 |      |            |
| 2018        |           | 639.74 |      |            |
| 2017        |           | 667.97 |      |            |
| 2016        |           | 613.98 |      |            |
| 2015        |           | 621.63 |      |            |
| 2014        |           | 714.68 |      |            |
| 2013        | 649.4     |        |      |            |
| 2007        |           |        | 0.00 |            |
| 2006        |           |        | 0.00 |            |
| 2005        |           |        | 0.00 |            |
| 2004        |           |        | 0.00 |            |
| 2003        |           |        | 0.00 |            |
| 2002        |           |        | 0.00 |            |
| 2001        |           |        | 0.00 |            |
| 2000        |           |        | 0.00 |            |
| 1997        |           |        | 0.00 |            |
| 1996        |           |        | 0.00 |            |
| 1995        |           |        | 0.00 |            |

84777

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Friday, March 26, 2021 9:16 AM  
**To:** 'watermaster34@atcnet.net'  
**Subject:** Application for Transfer No. 84776, 84777  
**Attachments:** RecommendationForm Transfer49.docx; RecommendationForm Transfer51.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. You can find a copy of the applications at: <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. Please review the applications, then complete the enclosed recommendation forms and return to this office within 21 days of the date of this letter.

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

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

Please contact this office if you have any questions regarding the application.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 15 2016

Department of Water Resources  
Eastern Region

## Notice of Security Interest in a Water Right

and a request to be notified of a change in ownership or any proposed  
or final action to amend, transfer, or otherwise modify the water right(s)

Attach pages with additional information. Incomplete forms will be returned.

| 1. Water Right/Claim No. | Water Right/Claim No. | Water Right/Claim No. | Water Right/Claim No. |
|--------------------------|-----------------------|-----------------------|-----------------------|
| 34-7A <i>OK</i>          | 34-253B <i>OK</i>     | 34-13581 <i>OK</i>    |                       |
| 34-8A <i>OK</i>          | 34-569E <i>OK</i>     | 34-13582 <i>OK</i>    |                       |
| 34-18 <i>OK</i>          | 34-608B <i>OK</i>     | 34-7054A <i>OK</i>    |                       |
| 34-19 <i>OK</i>          | 34-609B <i>OK</i>     | 34-7531 <i>OK</i>     |                       |
| 34-20A <i>OK</i>         | 34-10634 <i>OK</i>    |                       |                       |

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

A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

B) A **FEE of \$25.00** per water right or adjudication claim.

3. Name and Mailing Address of Person or Company Holding Security Interest

Idaho AgCredit, PCA

PO Box 985

Blackfoot, ID 83221

Phone \_\_\_\_\_

Email \_\_\_\_\_

4. Name of Water Right Owner/Claimant(s)

Brett T. Williams and Trudy Williams, husband and wife

5. Expiration Date of Notification Period

April 1, 2026

6. Is this a Renewal of Request for Notification?

☐ YES ☒ NO

7. Signature(s) of Security Interest Holder(s)

Title, if applicable

*[Signature]*  
Andy Line, Loan Officer

**For Office Use Only**

Received by *JB*

Date

*7/15/2016*

Receipt No.

*E042276*

Fee

*\$350.-*

Processed by AJ

Date

WR

Date

*7/27/2016*

SUPPORT DATA

IN FILE #

*34-7A*

Date: April 12, 2016

Page  
ASR 1124 (01/2010)

WHEN RECORDED MAIL TO:

Idaho AgCredit, PCA  
PO Box 985  
Blackfoot, ID 83221

Loan: 0006527132 - 222412710

NO. 0053754  
RECORDED

MAY 09 2016

11:58 AM  
DATE COUNTY RECORDED  
Blue Jay Simpson

1. THIS MORTGAGE is made this April 12, 2016 between Brett T. Williams, aka Brett Williams, and Trudy Williams, aka Trudy Stewart Williams, husband and wife, whose address is 3897 N 3550 W, Almo, ID 83255 hereinafter called "Mortgagor", and Idaho AgCredit, PCA (Mortgage), a wholly owned subsidiary of Idaho AgCredit, ACA, a corporation, existing and operating under the Farm Credit Act of 1971 as amended, having its principal place of business at 308 W. Judicial PO Box 985, Blackfoot, Idaho 83221

2. WITNESSETH That Mortgagor IRREVOCABLY GRANTS, BARGAINS, SELLS, CONVEYS AND ASSIGNS unto Mortgagee together with right of entry and possession the following described real property situated in the County(ies) of Butte, State of Idaho

SEE ATTACHED SCHEDULE A FOR REAL ESTATE DESCRIPTION, TOGETHER WITH FIXTURES AND APPURTENANT SPRINKLER EQUIPMENT IF ANY.

TOGETHER WITH: All fixtures, including but not limited to the following: All pumps, motors, columns, tubes, shafts, bowls, pans and all electrical appurtenances, mainline, laterals, wheel lines, pivot/circle irrigation systems, risers, heads, couplers, and plug valves, valve openers, reducers, joints, tees and wyes, as well as all additions and replacements thereof, hereby declare appurtenant hereto and which are more particularly described on the attached Schedule A

**WATER RIGHTS:**

TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-7A, Priority Date February 3, 1963, for 0.54 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-8A, Priority Date May 3, 1967, for 0.2 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-18, Priority Date June 1, 1897, for 1.5 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-19, Priority Date June 23, 1913, for 1.5 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-20A, Priority Date June 1, 1899, for 1.2 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-253B, Priority Date September 14, 1886, for 1.6 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-559E, Priority Date April 22, 1894, for 1 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-608B, Priority Date June 30, 1883, for 0.3 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-609B, Priority Date June 30, 1896, for 0.3 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-1063A, Priority Date May 1, 1908, for 1.41 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-13581, Priority Date March 26, 1974, for 1.5 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-13592, Priority Date March 23, 1974, for 3.61 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Decree Number 34-7054A, Priority Date December 10, 1973, for 5.85 cfs.  
TOGETHER WITH: Idaho Department of Water Resources Application Number 34-7531, Priority Date January 12, 1990, for 1.65 cfs.

This real estate is offered to secure all present and future loans or advances in the name(s) of Williams Farm and Ranch LLC, A Idaho Limited Liability Company, By: Brett T. Williams, Trudy Williams, and Wrangler S. Williams, Members and Individually By Brett T. Williams, aka Brett Williams, and Trudy Williams, aka Trudy Stewart Williams, and Wrangler S. Williams, aka Wrangler Stewart Williams, and Jessica Williams, husbands and wives, as well as any renewals or extensions thereof.

This real estate mortgage is also intended to be a fixture filing and to be indexed not only as a mortgage but also as a fixture filing.

3. TOGETHER WITH: all buildings, structures, equipment, fixtures (including trees, vines and shrubs) and improvements of every kind and description now or hereafter constructed or placed thereon; all standing timber and timber to be cut located thereon; all existing and future water rights, however evidenced, to the use of water for irrigation, livestock and domestic purposes, including irrigation and watering equipment and systems, ditches, laterals, conduits, and rights-of-way used to convey such water or to draw the above described property, all of which rights are hereby made appurtenant to the property, and all pumping plants, electrical generators, wind machines, and fencing and storage tanks, now or hereafter used in connection with the property, all of which are hereby declared to be fixtures; all grazing rights, leases, permits and licenses; all oil, gas, and mineral leases, permits and rights used with the property; and all easements, hereditaments, easements, rights-of-way and appurtenances to the property (hereafter collectively referred to as the "Property").

4. MORTGAGOR ABSOLUTELY AND UNCONDITIONALLY ASSIGNS, transfers, conveys and sets over to Mortgagee all the rents, royalties, issues, profits, revenue, income and other benefits of the property arising from the use or enjoyment of all or any portion thereof or from any lease, mineral lease, or agreement pertaining thereto (collectively the "Rents"), SUBJECT, HOWEVER, to the right, power and authority given to and conferred upon Mortgagor by Paragraph 7.c hereof.

**5. FOR THE PURPOSE OF SECURING:**

a) payment of the indebtedness or obligations evidenced by the following promissory note(s) and/or guaranties executed by Mortgagor and/or others to the Mortgagee at the times, in the manner and with interest as therein set forth (notes may contain variable or adjustable rate provisions):

| Date of Note   | Maturity Date | Amount of Note |
|----------------|---------------|----------------|
| April 12, 2016 | May 1, 2017   | \$400,000.00   |
| April 12, 2016 | April 1, 2019 | \$79,500.00    |
| April 12, 2016 | April 1, 2026 | \$138,000.00   |
| April 12, 2016 | April 1, 2021 | \$80,000.00    |

b) the payment of such additional loans or advances, including advances under a revolving line of credit, with interest thereon, as hereafter may be made to Mortgagor, or Mortgagor's successors or assigns, and/or to parties whose obligation Mortgagor is guaranteeing, evidenced by a promissory note or otherwise and any obligations evidenced by any guaranties executed by Mortgagor in favor of Mortgagee; PROVIDED HOWEVER, THAT, such additional loans, advances, guaranty obligations shall be secured by this Mortgage only if the promissory note, guaranty or other document evidencing such loans or advances shall recite that it is to be