

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84737

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Diamond 2 Ranches, LLC

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.
- ☐ ☒ #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

RECEIVED

FEB 08 2021

Department of Water Resources
Eastern RegionName of Applicant(s) Diamond 2 Ranches, LLCPhone (208) 847-1158Mailing address 1250 Raymond RoadEmail estherkimber@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.

Rodney H. Boehme
Signature of Applicant or Authorized Representative

Rodney H. Boehme
Print Name and Title if applicable

2/3/21
Date

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 Update Ownership
- 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**.
Combine a 35-acre portion of water right 11-2118 with all of water right 11-7155 to create a 216-acre combined place of use. Configure the 216-acre place of use to cover the current irrigation system (one full pivot, one partial pivot and 20 acres covered by wheel lines). Update ownership records for both water rights.

\$785.00 - 2/8/21 - CA H - Page 2 - E046618

84737

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.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	11-7155	2.85 / 543	Irrigation	4/15 to 10/15	Ground Water
☐ ☒	11-2118	0.33 cfs	Irrigation	4/15 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.18 cfs and/or 756 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.28 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 #
			SE	SW	15	13S	46E	Bear Lake	Ground Water	

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	
13S	46E	15		27	28		2			6	38	1	23	39		28	24		216
Total Acres (for irrigation use)																			216

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 to full pivot, partial pivot and wheel line. System could be equipped with a flow meter if one is required in the future.

- 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: N/A Water rights are not being moved off of property. Place of use is simply being rearranged.

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:

Transfer will rearrange the place of use for the water rights to cover the ground we are currently irrigating.

- 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:

Water rights 11-7534, 11-7536, 11-7538 and 11-7540 from the Thomas Fork are also appurtenant to this property.

- 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:

1/29/2021

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/29/2021

Water Right 11-2118

Owner Type
Current Owner

Name and Address
GENEVA RANCH LLC
428 E WINCHESTER STE 100
SALT LAKE CITY , UT 84107

Priority Date: 10/12/1960

Basis: License

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

/

To

/

Diversion Rate

2.840 CFS

Volume

Total Diversion

2.840 CFS

Source and Point(s) of Diversion

GROUND WATER

SWSW

Sec. 16, Twp 13S, Rge 46E, BEAR LAKE County

Place of Use

IRRIGATION within BEAR LAKE 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	
13S	46E	16							20.0		40.0	40.0	40.0	40.0			35.0		215.0
13S	46E	17				20.0									37.0			25.0	82.0

POU Total Acres: 297.0

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

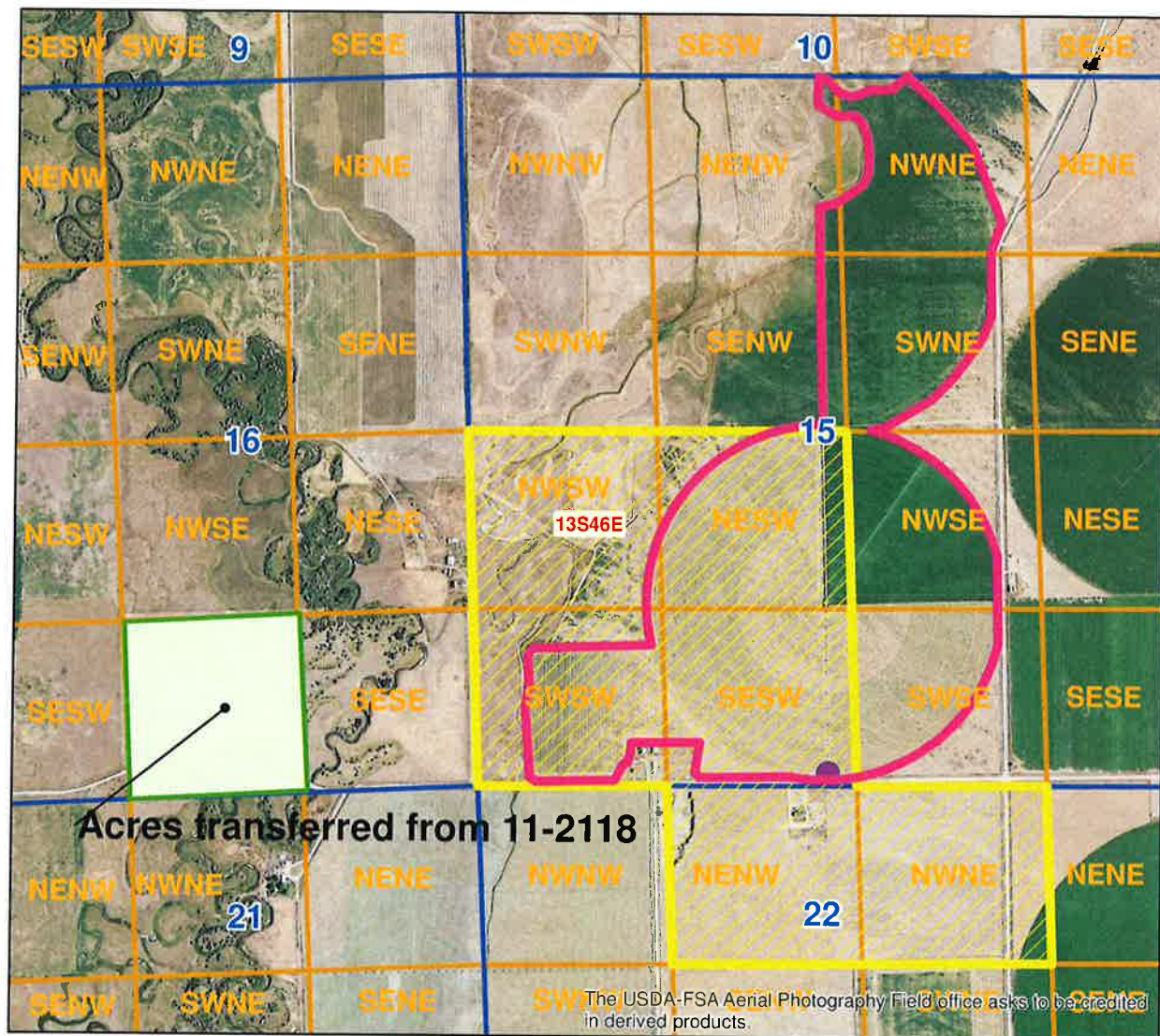
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$785 Date 2/8/21 Received by CH Receipt # E046618

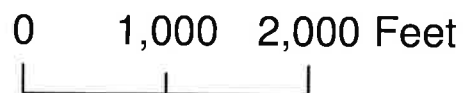
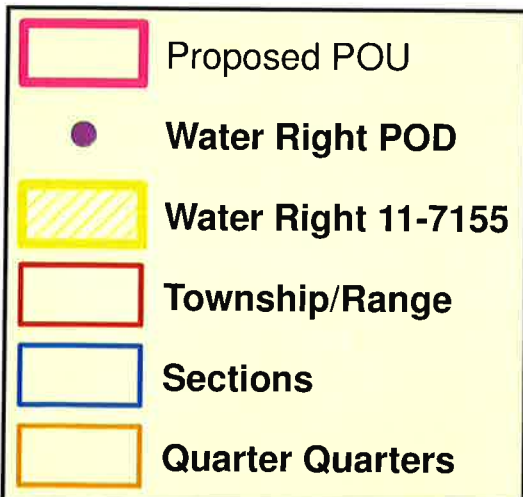
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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

Boehme Application for Transfer



2013 Aerial Photo





0004000647

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0004000647

Date Filed: 9/10/2020 6:08:33 AM

B0539-3082 09/10/2020 6:08 AM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:

Entity Name:

DIAMOND 2 RANCHES, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000570236

Address

1250 RAYMOND RD
GENEVA, ID 83238-5109

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W188788

The registered agent on record is:

Registered Agent

RODNEY BOEHME

Registered Agent

Physical Address

1250 RAYMOND RD
GENEVA, ID 83238

Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
+ Rodney H Boehme	Manager	1250 RAYMOND ROAD GENEVA, ID 83238

The annual report must be signed by an authorized signer of the entity.

Seth Boehme

Sign Here

09/10/2020

Date

Job Title: Employee

WARRANTY DEED

For Value Received,

PETERSEN LAKE HILL RANCH, LP,

of 3597 WOOD CANYON ROAD, GENEVA, County of Bear Lake, State of ID. 83238,

do(es) hereby, grant, bargain, sell, and convey unto

THE GRANTOR(S),

EMMA LYLE BOEHME,

of 1250 RAYMOND ROAD, GENEVA, County of Bear Lake, State of ID. 83238,

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 16: SW $\frac{1}{4}$ SE $\frac{1}{4}$.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that she is the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that she will warrant and defend the same from all lawful claims whatsoever.

DATED THIS May 5, 2006.

PETERSEN LAKE HILL RANCH, LP

David J. Petersen
BY: DAVID J. PETERSEN

Lois P. Petersen
BY: LOIS P. PETERSEN

Wyoming Idaho
STATE OF ~~IDAHO~~, COUNTY OF BEAR LAKE

On this 3/5th day of May, 2006, before me a Notary Public in and for the State, personally appeared **DAVID J. PETERSEN and LOIS P. PETERSEN** known or identified to me to be the partner(s) in the partnership of **PETERSEN LAKE HILL RANCH, LP**, and the partner(s) who subscribed said partnership name to the foregoing instrument, and acknowledged to me that t(he)y executed the same in said partnership name.

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

Martin Watkins

Notary Public
Residing at: Mountain View, Wyoming
My Commission Expires: 6/13/07

Instrument # 194791

BEAR LAKE COUNTY

2006-06-08

08:37:43 No. of Pages: 1

Recorded for: FIRST IDAHO TITLE CO.

KERRY HADDOCK

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Fee: 3.00



MAIL TAX NOTICE TO: EMMA LYLE BOEHME,
1250 RAYMOND ROAD, GENEVA, ID. 83238

NTBL-76554
GENEVA RANCH, LLC, an Utah Limited Liability Company
428 E Winchester Street, Ste 100
Salt Lake City, UT 84107

Instrument # 222183
BEAR LAKE COUNTY
06-31-2016 01:50:34 No. of Pages: 2
Recorded for: NORTHERN TITLE CO.
Cindy Garner Fee: \$13.00
Ex-Officio Recorder Deputy: JH
Index to WARRANTY DEED

WARRANTY DEED

PETERSEN LAKE HILL RANCH, LP

Grantor(s) of Preston, County of Bear Lake State of ID, hereby *CONVEY, WARRANT and GRANTS* to

GENEVA RANCH, LLC, an Utah Limited Liability Company

Grantee(s) of Salt Lake City, State of Utah for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Bear Lake County, State of ID:

SEE EXHIBIT "A" attached and made a part hereto

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

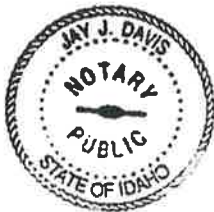
Witness, the hand(s) of said Grantor(s), this **May 27, 2016**.

PETERSEN LAKE HILL RANCH, LP


By: PETERSEN RANCH MANAGEMENT, LLC
By: David P. Petersen
Its: Manager

State of ID)
County of Franklin)

On May 27, 2016, personally appeared before me David P. Petersen who, being by me duly sworn, did say that he is the Manager of Petersen Ranch Management, LLC, who acknowledged before me that he executed the this deed with full authority of said Petersen Ranch Management, LLC, which said LLC is the managing partner of PETERSEN LAKE HILL RANCH, LP and that the said instrument was signed on behalf of said partnership, who executed this deed and acknowledged to me that said Partnership executed the same.




Notary Public
Resides at: Preston, ID
My Commission Expires on: 11/25/2017

84737

EXHIBIT "A"

TOWNSHIP 13 SOUTH, RANGE 45 EAST OF THE BOISE MERIDIAN, BEAR LAKE COUNTY, IDAHO:

SECTION 13: SE $\frac{1}{4}$ SE $\frac{1}{4}$.
SECTION 24: E $\frac{1}{4}$ E $\frac{1}{4}$.
SECTION 25: NE $\frac{1}{4}$ NE $\frac{1}{4}$.

TOWNSHIP 12 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN, BEAR LAKE COUNTY, IDAHO:

SECTION 29: SW $\frac{1}{4}$ SW $\frac{1}{4}$.
EXCEPT THEREFROM all that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Northwesterly of US Highway 89.
SECTION 30: S $\frac{1}{4}$ SE $\frac{1}{4}$.
EXCEPT THEREFROM all that portion of the S $\frac{1}{4}$ SE $\frac{1}{4}$ lying Northwesterly US Highway 89.
SECTION 31: LOTS 1; 2; AND 5; W $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$.
EXCEPT THEREFROM all that portion of Section 31 lying Westerly and Northwesterly of US Highway 89.
SECTION 32: NW $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$; W $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$.
ALSO EXCEPT THEREFROM on the above described property the US Highway 89 right-of-way.

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN, BEAR LAKE COUNTY, IDAHO:

SECTION 5: LOTS 2; 3; AND 4; S $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$.
SECTION 6: LOTS 1; 2; 4; 5; 6; AND 7; S $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$.
SECTION 7: LOT 1; E $\frac{1}{4}$; E $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$.
SECTION 8: W $\frac{1}{4}$; W $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{4}$ SE $\frac{1}{4}$.
SECTION 16: W $\frac{1}{2}$.
SECTION 17: N $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$.
SECTION 18: NE $\frac{1}{4}$ NE $\frac{1}{4}$.
SECTION 19: Lots 2; 3; and 4: E $\frac{1}{4}$ SW $\frac{1}{4}$.
SECTION 20: W $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$.
SECTION 21: SW $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{4}$ NW $\frac{1}{4}$.
SECTION 28: NW $\frac{1}{4}$ NW $\frac{1}{4}$.
SECTION 29: N $\frac{1}{4}$ NE $\frac{1}{4}$.
SECTION 30: Lot 1; E $\frac{1}{4}$ NW $\frac{1}{4}$.

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN, BEAR LAKE COUNTY, IDAHO:

Beginning at the Northwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, and running thence South 1388 feet; thence North 77° East 1800 feet to the West side of "Thomas Fork" Creek; thence along said creek North 34° West 166 feet; thence North 43° East 337 feet; thence South 81° East 200 feet; thence North 2° West 268 feet; thence North 25° West 193 feet; thence South 39° West 200 feet; thence South 88° West 310 feet; thence South 87° West 356 feet; thence North 31° West 142 feet; thence North 20° East 232 feet to the North side of homestead (which is North line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21); thence West 1149 feet, more or less, to the Point of Beginning.

TOGETHER WITH WATER RIGHT NO.(S): 11-2127; 11-4105; 11-7643; 11-7644; 11-2118; 11-7080

ALSO TOGETHER WITH ANY AND ALL OTHER WATER RIGHTS ASSOCIATED WITH THE TRACT OF LAND ON EXHIBIT "A"

Issued With Policy No. 554-031448

POLICY OF TITLE INSURANCE

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Policy No. 207-024758
File No. 19930296-A

SCHEDULE A

Amount of Insurance: \$ 245,000.00
Premium: \$ 990.00
Date of Policy: 10/01/93 at 3:29 P.M.

1. Name Of Insured:

HEBER J. BOEHME and EMMA LYLE BOEHME

2. The estate or interest in the land which is covered by this policy is:
fee simple

3. Title to the estate or interest in the land is vested in:

HEBER J. BOEHME and EMMA LYLE BOEHME, husband and wife, by Warranty Deed from David T. Sweat and Vicki C. Sweat, husband and wife, dated 01 October 1993 and recorded 01 October 1993 as Microfilm Instrument #157505, records of Bear Lake County, Idaho.

4. The land referred to in this policy is described in said instrument, is situated in the County of **Bear Lake**, State of **IDAHO**, and is identified as follows:

See Attached Exhibit "A"



Authorized Officer or Agent

EXHIBIT A

PARCEL #1:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 10: SW1/4SW1/4.

Section 15: W1/2; W1/2NE1/4;

ALSO: Beginning at a point 660 feet West from the Northeast Corner of Section 15, and running thence Southwesterly along the County Road to the Southwest Corner of the NE1/4NE1/4 of Section 15; thence North 1320 feet; thence East 660 feet to the Point of Beginning.

Section 16: SE1/4SE1/4.

EXCEPT THEREFROM a right of way 66 feet in width along the East side of the SE1/4SE1/4.

Section 21: Beginning at the Southeast Corner of the NW1/4SE1/4 of Section 21, and running thence West 1491 feet; thence South 33 feet; thence East 1491 feet; thence North 33 feet to the Point of Beginning.

ALSO: Beginning at the Northwest Corner of the SE1/4SW1/4 of Section 21, and running thence South 1388 feet; thence North 77° East 1800 feet to the West side of "Thomas Fork" Creek; thence along said creek North 34° West 166 feet; thence North 43° East 337 feet; thence South 81° East 200 feet; thence North 2° West 268 feet; thence North 25° West 193 feet; thence South 39° West 200 feet; thence South 88° West 310 feet; thence South 87° West 356 feet; thence North 31° West 142 feet; thence North 20° East 232 feet to the North side of homestead (which is North line of said SE1/4SW1/4 of Section 21); thence West 1149 feet to the Point of Beginning.

Section 22: NE1/4NW1/4; NW1/4NE1/4; SW1/4SE1/4NW1/4.

*

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Policy No. 207-024758
File No. 19930296-A

SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

GENERAL (STANDARD) EXCEPTIONS

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by the law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c), or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.

SPECIAL EXCEPTIONS

8. General taxes for the year 1992 in the amount of \$3,412.00 are paid in full. General taxes for the year 1993 and subsequent years are accruing liens, not yet due or payable.
NOTE: Bear Lake County Tax Parcel 4362, 4372, 4374, 4390 and 4414.
9. Subject to easements for roads, ditches, power and transmission lines, as the same now exist.
10. Pole Line Easement dated 07 June 1945 and recorded 02 February 1946 in Book 6 of Miscellaneous, page 287, as Instrument #57013, records of Bear Lake County, Idaho.
Grantor: GLADYS MUNFORD
Grantee: UTAH POWER & LIGHT COMPANY
11. Pole Line Easement dated 07 June 1945 and recorded 02 February 1946 in Book 6 of Miscellaneous, page 288, as Instrument #57015, records of Bear Lake County, Idaho.
Grantor: A. R. LINFORD and NORMA LINFORD, h/w
Grantee: UTAH POWER & LIGHT COMPANY

(Continued)

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Policy No. 207-024758
File No. 19930296-A

CONTINUATION

12. Warranty Deed dated 04 January 1978, as to an undivided 1/5th interest of all oil, gas, and other minerals; recorded 05 January 1978 as Microfilm Instrument #114172, records of Bear Lake County, Idaho.
Grantor: ORSON A. NATE and LVA N. NATE, h/w
Grantee: KAREN NATE NELSON
13. Correction Warranty Deed dated 13 January 1978, as to an undivided 1/5th interest of all oil, gas, and other minerals; recorded 16 February 1978 as Microfilm Instrument #114580, records of Bear Lake County, Idaho.
Grantor: ORSON A. NATE and ALVA N. NATE, h/w
Grantee: LINDA NATE THORNOCK
14. Warranty Deed dated 04 January 1978, as to an undivided 1/5th interest of all oil, gas, and other minerals; recorded 05 January 1978 as Microfilm Instrument #114174, records of Bear Lake County, Idaho.
Grantor: ORSON A. NATE and ALVA N. NATE, h/w
Grantee: DENNIS ORSON NATE
15. Warranty Deed dated 04 January 1978, as to an undivided 1/5th interest of all oil, gas, and other minerals; recorded 05 January 1978 as Microfilm Instrument #114175, records of Bear Lake County, Idaho.
Grantor: ORSON A. NATE and ALVA N. NATE, h/w
Grantee: MARILYN NATE CRAGEN
16. Warranty Deed dated 27 February 1979, as to an undivided 1/10th interest of all oil, gas, and other minerals; recorded 14 March 1979 as Microfilm Instrument #117819, records of Bear Lake County, Idaho.
Grantor: ORSON A. NATE and ALVA N. NATE, h/w
Grantee: TRI-BROWN COMPANY, a Partnership, consisting of LEONARD GARY BROWN and MARRILEE J. BROWN, h/w; MELVIN R. BROWN and JOLENE R. BROWN, h/w; and GLEN E. BROWN and FRANKIE JEAN M. BROWN, h/w
17. Warranty Deed dated 05 August 1987, excepting all oil, gas and mineral rights; recorded 02 September 1987 as Microfilm Instrument #144428, records of Bear Lake County, Idaho.
Grantor: TRI-BROWN CO., a general partnership, consisting of LEONARD GARY BROWN and MERRILEE J. BROWN, h/w; MELVIN R. BROWN and JOLENE R. BROWN, h/w; and GLEN E. BROWN and FRANKIE JEAN M. BROWN, h/w
Grantee: DAVID T. SWEAT and VICKI J. SWEAT, h/w
18. Easement as retained in Warranty Deed dated 16 January 1991 and recorded 28 February 1991 as Microfilm Instrument #152056, records of Bear Lake County, Idaho.
Grantor: DAVID T. SWEAT and VICKI J. SWEAT, h/w
Grantee: HEBER J. BOEHME and EMMA LYLE BOEHME, h/w

(Continued)

COMMONWEALTH LAND TITLE INSURANCE COMPANY

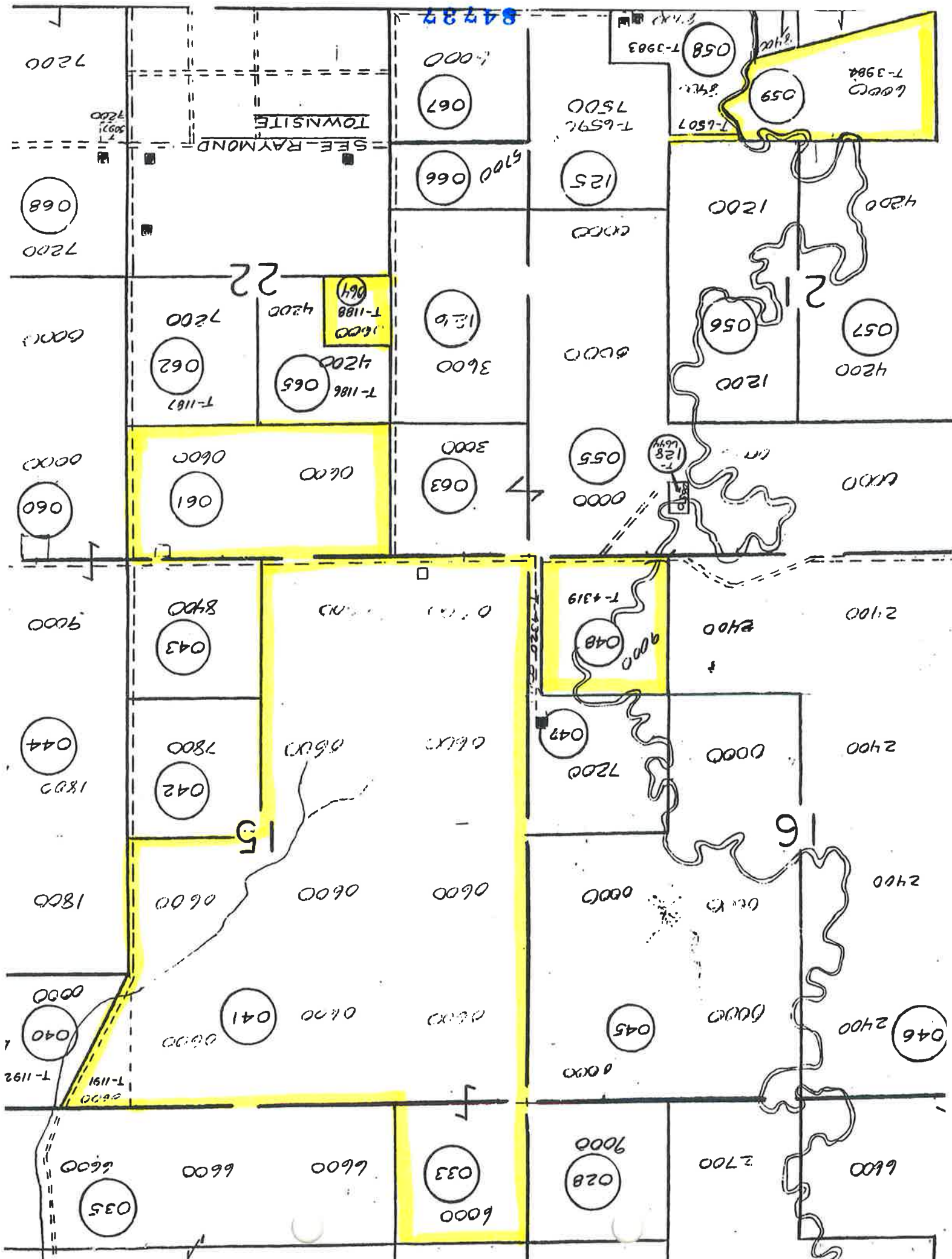
Policy No. 207-024758
File No. 19930296-A

CONTINUATION

19. Real Estate Mortgage securing an indebtedness of \$245,700.90 plus interest, dated 01 October 1993 and recorded 01 October 1993 as Microfilm Instrument #157507, records of Bear Lake County, Idaho.
Mortgagor: HEBER J. BOEHME and EMMA LYLE BOEHME, h/w
Mortgagee: TRI-STATE BANK
(INCLUDES OTHER PROPERTY)
20. Any ownership, right, title or interest, or claim thereof, in and to any and all minerals, evidence thereof which is recorded or not recorded.
21. Any rights of the public in and to that portion of the land covered by the waters of the Bear River.

This policy is issued in duplicate. Liability under both policies is limited to \$245,700.90, and any payment of loss will reduce liability under both policies pro tanto.

*



"THIS IS A LEGALLY BINDING CONTRACT. IF NOT UNDERSTOOD, SEEK COMPETENT ADVICE."

BILL OF SALE

(WITH WARRANTIES)

KNOW ALL MEN BY THESE PRESENTS:

THAT

DAVID T. SWEAT AND VICKI C. SWEAT, husband and wife.

THE SELLER(S),

For and in consideration of the sum of Ten Dollars and other good and valuable consideration paid to them in hand by:

HEBER J. BOEHME AND EMMA LYLE BOEHME, husband and wife.

THE BUYER(S),

the receipt whereof is hereby acknowledged, have bargained, sold, assigned, and transferred, and by these presents do bargain, sell, assign, and transfer unto said buyer(s) that certain personal property now at:

**FR. SEC 10, 15, 16, 21 & 22, T13S R46E BM
NEAR RAYMOND, BEAR LAKE COUNTY, STATE OF ID., 83238**

Particularly Described As Follows:

**WATER RIGHT LICENSE NO. 11-07155
ALL THOMAS FORK WATER RIGHTS OWNED BY GRANTOR
IRRIGATION LINES LOCATED ON REAL PROPERTY
IRRIGATION PUMP**

And the Seller (s) upon the consideration recited above warrants ownership of and good to said property, the right to sell the same and that there are no liens, encumbrances or charges thereon or against the same and to defend the title and possession transferred to the Buyer(s) against all lawful claims.

IN WITNESS WHEREOF, we have hereunto set our hands this 01 day of **OCTOBER, 1993.**

Heber J. Boehme David T. Sweat

Emma Lyle Boehme Vicki C. Sweat

VICKI C. SWEAT

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this **01** day of **OCTOBER, 1993**, before me a Notary Public in and for the State, personally appeared

DAVID T. SWEAT AND VICKI C. SWEAT, husband and wife.

known to me to be the persons whose names are subscribed to within instrument, and acknowledge to me that they executed the same. In Witness Whereof, I hereunto set my hand and seal the day and year in the certificate first above written.

Way Bask

Notary Public
Residing At: **OID, IDAHO**
My Commission Expires: 12/01/94

1993 OCT 1 PM 3 29
DEPUTY
FEE
\$3.00

BEAR LAKE COUNTY RECORDER
JOHN H. EBBON

157506

84737

WARRANTY DEED

For Value Received,

DAVID T. SWEAT AND VICKI C. SWEAT, HUSBAND AND WIFE.,
Of 190 SOUTH 200 WEST, HEBER CITY, State of UTAH, 84032,

do hereby, grant, bargain, sell, and convey unto

THE GRANTOR(S),

HEBER J. BOEHME AND EMMA LYLE BOEHME, HUSBAND AND WIFE.,
Of 1250 RAYMOND ROAD, GENEVA, County of BEAR LAKE, State of IDAHO, 83238,

THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of BEAR LAKE, State of Idaho:

See Attached Exhibit "A"

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS 01 DAY OF OCTOBER, 1993.

David T. Sweat
DAVID T. SWEAT

Vicki Sweat
VICKI C. SWEAT

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 01th day of October, 1993, before me a Notary Public in and for the State, personally appeared

DAVID T. SWEAT AND VICKI C. SWEAT

known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledge to me that they executed the same.

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

Kay B. B...
Notary Public
Residing at: **QUID, IDAHO**
My Commission Expires: 12/01/94

93 OCT 1 PM 3 28
DEPUTY FEE
Chad Sfor

BEAR LAKE COUNTY RECORDER
JAN M. EMMER

157505

MAIL TAX NOTICE TO: **HEBER J. BOEHME AND EMMA LYLE BOEHME**
1250 RAYMOND ROAD, GENEVA, ID 83238

84737

EXHIBIT A

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 10: SW1/4SW1/4.

Section 15: W1/2; W1/2NE1/4;

ALSO: Beginning at a point 660 feet West from the Northeast Corner of Section 15, and running thence Southwesterly along the County Road to the Southwest Corner of the NE1/4NE1/4 of Section 15; thence North 1320 feet; thence East 660 feet to the Point of Beginning.

Section 16: SE1/4SE1/4.

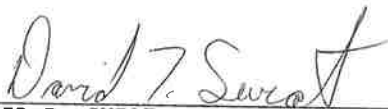
EXCEPT THEREFROM a right of way 66 feet in width along the East side of the SE1/4SE1/4.

Section 21: Beginning at the Southeast Corner of the NW1/4SE1/4 of Section 21, and running thence West 1491 feet; thence South 33 feet; thence East 1491 feet; thence North 33 feet to the Point of Beginning.

ALSO: Beginning at the Northwest Corner of the SE1/4SW1/4 of Section 21, and running thence South 1388 feet; thence North 77° East 1800 feet to the West side of "Thomas Fork" Creek; thence along said creek North 34° West 166 feet; thence North 43° East 337 feet; thence South 81° East 200 feet; thence North 2° West 268 feet; thence North 25° West 193 feet; thence South 39° West 200 feet; thence South 88° West 310 feet; thence South 87° West 356 feet; thence North 31° West 142 feet; thence North 20° East 232 feet to the North side of homestead (which is North line of said SE1/4SW1/4 of Section 21); thence West 1149 feet to the Point of Beginning.

Section 22: NE1/4NW1/4; NW1/4NE1/4; SW1/4SE1/4NW1/4.

*


DAVID T. SWEAT


VICKI C. SWEAT

Instrument # 228582
BEAR LAKE COUNTY
1-31-2019 08:48:20 AM No. of Pages: 2
Recorded for : FIRST AMERICAN TITLE-MONTPELIER
CINDY GARNER Fee: 15.00
Ex-Officio Recorder Deputy *Cindy Garner*
Index to: WARRANTY DEED

WARRANTY DEED

For Value Received,

DIAMOND 1 RANCHES, an Idaho Limited Liability Company,
of 2277 WOOD CANYON ROAD, GENEVA, County of Bear Lake, State of ID. 83238,

THE GRANTOR,

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

DIAMOND 2 RANCHES, LLC, an Idaho Limited Liability Company,
of 1250 RAYMOND ROAD, GENEVA, County of Bear Lake, State of ID. 83238

THE GRANTEE,

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in
the County of Bear Lake, State of Idaho:

See Attached Exhibit "A"

This deed has been prepared as an accommodation by FIRST IDAHO TITLE COMPANY
without benefit of a title search and its accuracy is not guaranteed.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), his heirs and
assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that he is the
owner(s) in fee simple of said premises; that they are free from all encumbrances, and that he will warrant and
defend the same from all lawful claims whatsoever.

DATED THIS January 29, 2019

DIAMOND 1 RANCHES, as Idaho Limited Liability Company

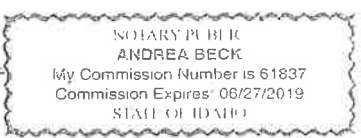
Robert Dee Boehme
BY: ROBERT DEE BOEHME, Member

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 29th day of January 2019, before me a Notary Public in and for the
State, personally appeared ROBERT DEE BOEHME, known or identified to me to be the member of
the limited liability company of DIAMOND 1 RANCHES, an Idaho Limited Liability Company, and the
member who subscribed said limited liability company name to the foregoing instrument, and
acknowledged to me that he executed the same in said limited liability company name.

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

Andrea Beck
Notary Public
Residing at: Ovid, ID
My Commission Expires: 6-27-2019



MAIL TAX NOTICE TO: DIAMOND 2 RANCHES, LLC
1250 RAYMOND ROAD, GENEVA, ID 83238

84737

EXHIBIT A

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 10: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 15: W $\frac{1}{2}$; W $\frac{1}{2}$ NE $\frac{1}{4}$;

ALSO: Beginning at a point 660 feet West from the Northeast Corner of Section 15, and running thence Southwesterly along the County Road to the Southwest Corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15; thence North 1320 feet; thence East 660 feet to the Point of Beginning.

EXCEPT THEREFROM: Beginning at the intersection of Wood Canyon Road and an existing lane, 110 feet more or less, West of the Southeast Corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, running thence West along Wood Canyon Road 165 feet; thence North 264 feet; thence East 165 feet; thence South 264 feet to the point of beginning.

Section 16: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

EXCEPT THEREFROM a right of way 66 feet in width along the East side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$.

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Commencing at the NW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 22, and running thence East 671 feet; thence South 45° West 949 feet, more or less, to the West 1/16th line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence North 671 feet, more or less, to the Point of Beginning.

TOWNSHIP 12 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Sections 22 and 23: Commencing at a point 504.5 feet East of the Southwest Corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 22, and running thence East 324 feet; thence North 1870 feet; thence East 1490 feet, more or less, to the Westerly boundary line of the State Highway Right of Way; thence Northwesterly along the State Highway Right of Way to the North line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23; thence West 346.5 feet; thence South 214 feet; thence West 231 feet; thence North 214 feet; thence West 815.5 feet; thence South 3960 feet to the Place of Beginning.

Section 35: The Easterly 545.4 feet of Lots 3 and 4.

All of Block 8 of the RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East, Boise Meridian.

EXCEPT THEREFROM: A tract 49 feet by 49 feet located in the Southeast Corner of Lot 4, Block 8, RAYMOND TOWNSITE SURVEY, deeded to Celdon R. Hart and Venie Hart, husband and wife.

WARRANTY DEED

For Value Received,

RODNEY H. BOEHME and ROBERT DEE BOEHME, as Successor Trustee of the EMMA LYLE BOEHME REVOCABLE TRUST dated July 29, 2014

of 1250 RAYMOND ROAD, GENEVA, County of Bear Lake, State of ID. 83238,

THE GRANTOR,

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

DIAMOND 2 RANCHES, LLC, an Idaho Limited Liability Company,

of 1250 RAYMOND ROAD, GENEVA, County of Bear Lake, State of ID. 83238,

THE GRANTEE,

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 16: SW¼SE¼

This deed has been prepared as an accommodation by FIRST IDAHO TITLE COMPANY without benefit of a title search and its accuracy is not guaranteed.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), his heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that he is the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that he will warrant and defend the same from all lawful claims whatsoever.

DATED THIS January 29, 2019

EMMA LYLE BOEHME REVOCABLE TRUST dated July 29, 2014

Rodney H. Boehme
By: RODNEY H. BOEHME, Successor Trustee

Robert Dee Boehme
By: ROBERT DEE BOEHME, Successor Trustee

STATE OF IDAHO, COUNTY OF BEAR LAKE

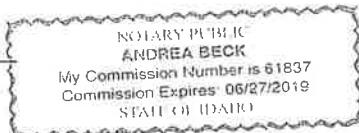
On this 29th day of January 2019, before me a Notary Public in and for the State, personally appeared

RODNEY H. BOEHME and ROBERT DEE BOEHME

known or identified to me to be the persons whose names are subscribed to the within instrument as successor trustees of the EMMA LYLE BOEHME REVOCABLE TRUST dated July 29, 2014, and acknowledged to me that they executed the same as such successor trustees.

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

Andrea Beck
Notary Public
Residing at: Orinda, ID
My Commission Expires: 06-27-2019



MAIL TAX NOTICE TO: DIAMOND 2 RANCHES, LLC
1250 RAYMOND ROAD, GENEVA, ID 83238

84737

WARRANTY DEED

For Value Received,

RODNEY H. BOEHME and JENEANE C. BOEHME, husband and wife,
of 1250 RAYMOND ROAD, GENEVA, County of Bear Lake, State of ID. 83238,

THE GRANTORS,

do hereby, grant, bargain, sell, and convey unto

DIAMOND 2 RANCHES, LLC, an Idaho Limited Liability Company
of 1250 RAYMOND ROAD, GENEVA, County of Bear Lake, State of ID. 83238,

THE GRANTEE,

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

TOWNSHIP 12 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN

Section 22: Commencing at a point 264 feet East of the SW corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 22 and running thence East 240.5 feet; thence North 3960 feet; thence West 504.5 feet to the Northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 22; thence South 3795 feet; thence East 264 feet; thence South 165 feet to the Place of Beginning.

Section 35: The Westerly 273 feet of Lots 3 and 4.

This deed has been prepared as an accommodation by FIRST IDAHO TITLE COMPANY without benefit of a title search and its accuracy is not guaranteed.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS January 29, 2019

Rodney H. Boehme
RODNEY H. BOEHME

Jeneane C. Boehme
JENEANE C. BOEHME

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 29th day of January 2019,
before me a Notary Public in and for the State, personally
appeared

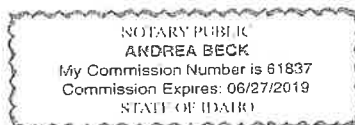
RODNEY H. BOEHME and JENEANE C. BOEHME

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

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

Andrea Beck
Notary Public

Residing at: Ovid, ID
My Commission Expires: 06-27-2019



MAIL TAX NOTICE TO: DIAMOND 2 RANCHES, LLC
1250 RAYMOND ROAD, GENEVA, ID 83238

84737

WARRANTY DEED

For Value Received,

RODNEY BOEHME aka RODNEY H. BOEHME and JENEANE C. BOEHME, husband and wife and
ROBERT BOEHME aka ROBERT D. BOEHME and YVONNE BOEHME, husband and wife
of 1250 RAYMOND ROAD, GENEVA, County of Bear Lake, State of ID. 83238,

THE GRANTORS,

do hereby, grant, bargain, sell, and convey unto

DIAMOND 2 RANCHES, LLC, an Idaho Limited Liability Company
of 1250 RAYMOND ROAD, GENEVA, County of Bear Lake, State of ID. 83238,

THE GRANTEE,

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in
the County of Bear Lake, State of Idaho:

See Attached Exhibit "A"

This deed has been prepared as an accommodation by FIRST IDAHO TITLE COMPANY
without benefit of a title search and its accuracy is not guaranteed.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and
assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the
owner(s) in fee simple of said premises; that they are free from all encumbrances, and that they will warrant
and defend the same from all lawful claims whatsoever.

DATED THIS January 29, 2019

Robert Dee Boehme
ROBERT BOEHME aka ROBERT D. BOEHME

Rodney H. Boehme
RODNEY BOEHME aka RODNEY H. BOEHME

Yvonne Boehme
YVONNE BOEHME

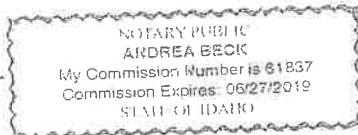
Jeneane C. Boehme
JENEANE C. BOEHME

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 29th day of January 2019, before me a Notary Public in and
for the State, personally appeared RODNEY BOEHME aka RODNEY H. BOEHME and JENEANE C.
BOEHME, known to me to be the persons whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

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

Andrea Beck
Notary Public
Residing at: Ovid, ID
My Commission Expires: 6-27-2019

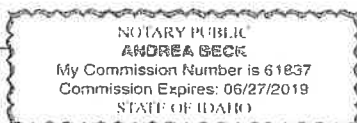


STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 29th day of January 2019, before me a Notary Public in and for the State, personally
appeared ROBERT BOEHME aka ROBERT D. BOEHME and YVONNE BOEHME, known to me to be
the persons whose names are subscribed to the within instrument, and acknowledged to me that
they executed the same.

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

Andrea Beck
Notary Public
Residing at: Ovid, ID
My Commission Expires: 6-27-2019



MAIL TAX NOTICE TO: DIAMOND 2 RANCHES, LLC
1250 RAYMOND ROAD, GENEVA, ID 83238

84737

On this 30 day of January 2019, before me a Notary Public in and for the State, personally appeared YVONNE BOEHME, known 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 hereunto set my hand and seal the day and year in the certificate first above written.

Carrie Nemert

Notary Public

Residing at: St. Charles, ID

My Commission Expires: 11/3/2024

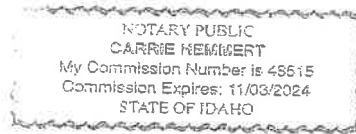


EXHIBIT A

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN

Section 9: NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 10: NW $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN

Section 15: NW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPT THEREFROM: Commencing at the Southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$; and running thence North 25 feet; thence West 65 feet; thence South 25 feet; and thence East 65 feet to the Point of Beginning.

ALSO EXCEPT THEREFROM any part of the County Road that may lie within the above described property.

ALSO EXCEPT THEREFROM all oil, gas, geothermal and mineral rights as previously reserved.



State of Idaho

DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 3, 2021

DIAMOND 2 RANCHES, LLC
1250 RAYMOND ROAD
GENEVA, ID 83238

RE: Transfer No. 84737
Water Right No(s). 11-2118, 11-7155

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the THE NEWS EXAMINER on 3/10/2021 and 3/17/2021. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Christina Henman
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

Geneva Ranch, LLC
428 East Winchester, Suite 100
Salt Lake City, Utah 84107

March 3, 2021

To Whom It May Concern,

You are receiving this letter because the Department has you listed as the owner of record for the entirety of water right 11-2118. As part of the review of Transfer 84737 I found that the owner of the portion of the water right in SWSE Section 16 Township 13 South Range 46 East appears to be Emma L. Boehme Trust. The Department therefore appears to have erred in its previous ownership analysis. The portion of the water right apparently owned by Emma L. Boehme Trust is 35 acres and 0.33 cfs. You appear to own the remaining 262 acres and 2.51 cfs.

However, it is important to provide direct notice to you because there could be a piece of ownership information that I am missing. If you have any additional information regarding your ownership of the 35 acres, I would appreciate the opportunity to review it.

A copy of application for transfer 84737 can be viewed online at:

<https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>

If I do not receive any information by the 3/29/2021, I will assume that you have no more information to provide and will proceed accordingly.

Please give me a call at 208-497-3780 if you have any further questions or comments.

Sincerely,

Cooper Fritz
Water Resources Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

DAMON WIDMER
880 WOOD CANYON RD.
GENEVA, ID 83238

March 3, 2021

Dear Recipient,

You are receiving this letter because you own property in either the NENW or NWNE of Section 22, Township 13 South, Range 46 East. According to Department records, this land is currently covered by water right 11-7155's place of use. The water right is currently in the name of Tri Brown Co.

A recent water right transfer, Transfer 84737, was filed on the water right by Diamond 2 Ranch, LLC ("applicant"). As part of the transfer, the applicant asserts ownership of the entire water right, proposes to update the ownership of the water right to their name, and proposes a new place of use that is entirely off of your property. According to the applicant, you do not have access to the well that serves as the point of diversion.

Although you have never taken steps to update the ownership of the water right, I am notifying you of the transfer because you might maintain ownership of a portion of it. Evidence of ownership in these types of situations is generally a chain of title back to the current owner of record, and irrigation via a groundwater source sometime within the past five years. However, any evidence of ownership that you submit will be considered.

If you do assert ownership of the water right, you should fill out a Notice of Change in Water Right Ownership. You can also file a protest on Transfer 84737. Please submit all available evidence and paperwork by 3/29/2021. If I do not receive any information from you by that time, I will assume that you do not assert any ownership of the water right and will proceed accordingly.

To view a copy of Transfer 84737, please visit:
<https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>.

If you have any questions, please contact me at 208 497 3780.

Sincerely,

Cooper Fritz
Water Resource Agent

LIST OF RECIPIENTS:

SIDNEY STOOR
PO BOX 246
COKEVILLE, WY 83114

WAI-HONG LUI
37 CALVERT AVE. W
EDISON, NJ 08820

HEATH MACKEY
PO BOX 6
COKEVILLE, WY 83114

ROBERT WILEY
PO BOX 3644
ALPINE, WY 83128

CASEY PERKINS
PO BOX 395
COKEVILLE, WY 83114

DAMON WIDMER
880 WOOD CANYON RD.
GENEVA, ID 83238

Henman, Christina

From: Henman, Christina
Sent: Wednesday, March 03, 2021 10:29 AM
To: 'ne_legals@news-examiner.net'
Subject: Legal Notice for News Examiner
Attachments: 84737 News Examiner.docx

March 3, 2021

LEGAL NOTICE DEPARTMENT
THE NEWS EXAMINER
PO BOX 278
MONTPELIER, ID 83254-0278

RE: Transfer No. 84737
Water Right No(s). 11-2118, 11-7155

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 3/29/2021. Your cooperation is appreciated.

Thank You,

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84737**

DIAMOND 2 RANCHES, LLC, 1250 RAYMOND ROAD, GENEVA, ID 83238 has filed Application No. 84737 for changes to the following water rights within BEAR LAKE County(s): Right No(s). 11-2118, 11-7155; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. The proposed point of diversion is in SESW Sec 15 T13S R46E for 3.18 cfs from Ground Water. The proposed place of use is in Sec 15 T13S R46E for 216 acres. For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 3/29/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/10/2021 and 3/17/2021