

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84563

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) ZWEIFEL PROPERTIES 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: Warranty deed showing Zweifel Properties LLC owns the property in the SENW Section 33, T09N, R33E.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED

NOV 30 2020

Department of Water Resources
Eastern Region

Name of Applicant(s) ZWEIFEL PROPERTIES LLC

Phone _____

Mailing address 5225 WILD DUNES LN IDAHO FALLS, ID 83404

Email szfarms@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____

Phone _____

Mailing address _____

Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Stephen Zweifel
Signature of Applicant or Authorized Representative

Stephen Zweifel member
Print Name and Title if applicable

11-30-2020
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 _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?

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**.

We propose to rearrange the place of use for water rights 32-2104B, 2105B, 2117B, 2119B, 2133B, 4074, 7011B, 7090B, 7256, 7257, 7258, and 7259 by moving acres previously irrigated by end guns to acres that are now irrigated by two mini pivots.

STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☐	☐	*See attached Supplemental Page for Description of Rights			
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	

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

2. Total amount of water proposed to be transferred or changed 0.49 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5
Total Acres (for irrigation use)																			408.0

STATE OF IDAHO
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APPLICATION FOR TRANSFER OF A WATER RIGHT

Supplemental Page for Description of Rights after Transfer**

[illegible]

Total authorized under rights 6.73 cfs and/or 1427.8 ac-ft

****Insert this page into Part 1B of the Application for Transfer of a Water Right.**

STATE OF IDAHO
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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:

Diversion system is made up of one pump that supplies three pivots and two mini pivots. A department approved flow meter is installed and the main power switch is lockable.

- 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:

A portion in the SENW 1/4 of T09N, R33E, Sec. 33 is owned by Birch Creek Ranches LLC. An agreement has been made between Birch Creek Ranches LLC and Zweifel Properties LLC for a land swap. See Attachment #10

- 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:

The land will no longer be irrigated.

- 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:

- 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:

11/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ZWEIFEL PROPERTIES LLC 5225 WILD DUNES LN IDAHO FALLS, ID 83404 (208) 521-6286

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.410 CFS	91.0 AF
	Total Diversion		0.410 CFS	91.0 AF

Sec. 33, Twp 09N, Rge 33E, CLARK County

IRRIGATION within CLARK County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09N	33E	33	34.0	34.0	34.0	34.0													136.0
09N	33E	34	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0									272.0

POU Total Acres: 408.0

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1427.8 AF. COMBINED RIGHT NOS.: 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259 USE OF THIS RIGHT WITH RIGHT NO. 32-02105B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.55 CFS.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.77 CFS. COMBINED RIGHT NOS.: 32-02105B, 32-07011B, 32-07090B USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 500.5 AF.
COMBINED RIGHT NOS.: 32-02105B, 32-02117B, 32-07011B, 32-07090B
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 26 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074.

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- 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 143 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02105B, 32-02117B, 32-07011B, 32-07090B
3. 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.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.550		
32-2104B ,32-2105B		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.770		
32-2104B ,32-2105B ,32-7090B ,32-7011B		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	500.5	143.0
32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7011B		

SubCase:

N/A

Water Supply Bank:

N/A

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Water Right 32-2105B

Owner Type **Name and Address**
Current Owner ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404
(208) 521-6286

Priority Date: 3/13/1961

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.550 CFS	122.5 AF
	Total Diversion		0.550 CFS	122.5 AF

Source and Point(s) of Diversion

GROUND WATER NENE Sec. 33, Twp 09N, Rge 33E, CLARK County

Place Of Use

IRRIGATION within CLARK 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	
09N	33E	33	34.0	34.0	34.0	34.0													136.0
09N	33E	34	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0									272.0

Right Acre Limit: 35.0

POU Total Acres: 408.0

Conditions of Approval:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1427.8 AF. COMBINED RIGHT NOS.: 32-02104B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259 USE OF THIS RIGHT WITH RIGHT NO. 32-02104B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.55 CFS.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.77 CFS. COMBINED RIGHT NOS.: 32-02104B, 32-07011B, 32-07090B USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 500.5 AF. COMBINED RIGHT NOS.: 32-02104B, 32-02117B, 32-07011B, 32-07090B
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 35 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02117B, 32-02119B, 32-02133B, 32-04074,

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- 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 143 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02117B, 32-07011B, 32-07090B
3. 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.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.550		
32-2104B ,32-2105B		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.770		
32-2104B ,32-2105B ,32-7090B ,32-7011B		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	500.5	143.0
32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7011B		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		

SubCase:

N/A

Water Supply Bank:

N/A

11/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ZWEIFEL PROPERTIES LLC 5225 WILD DUNES LN IDAHO FALLS, ID 83404 (208) 521-6286

Status: Active

GROUND WATER

129.5 AF

Sec. 33, Twp 09N, Rge 33E, CLARK County

[illegible]

POU Total Acres: 408.0

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3. 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.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02105B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	500.5	143.0
32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7011B		

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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Water Right 32-2119B

Owner Type **Name and Address**
Current Owner ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404
(208) 521-6286

Priority Date: 11/5/1965

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.910 CFS	168.0 AF
	Total Diversion		0.910 CFS	168.0 AF

Source and Point(s) of Diversion

GROUND WATER NENE Sec. 33, Twp 09N, Rge 33E, CLARK County

Place Of Use

IRRIGATION within CLARK County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	33E	33	34.0	34.0	34.0	34.0													136.0
09N	33E	34	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0									272.0

Right Acre Limit: 48.0

POU Total Acres: 408.0

Conditions of Approval:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1427.8 AF. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 48 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259
- 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.

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4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02105B, 32-02117B, 32-02133B,
32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2020

Water Right 32-2133B

Owner Type **Name and Address**
Current Owner ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404
(208) 521-6286

Priority Date: 4/2/1964

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.760 CFS	168.0 AF
	<u>Total Diversion</u>		0.760 CFS	168.0 AF

Source and Point(s) of Diversion

GROUND WATER NENE Sec. 33, Twp 09N, Rge 33E, CLARK County

Place Of Use

IRRIGATION within CLARK 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	
09N	33E	33	34.0	34.0	34.0	34.0													136.0
09N	33E	34	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0									272.0

Right Acre Limit: 48.0

POU Total Acres: 408.0

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1427.8 AF. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 48 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259
3. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
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4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02105B, 32-02117B, 32-02119B,
32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		

SubCase:

N/A

Water Supply Bank:

N/A

11/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ZWEIFEL PROPERTIES LLC 5225 WILD DUNES LN IDAHO FALLS, ID 83404 (208) 521-6286

Status: Active

SOURCE

GROUND WATER

32.7 AF

Sec. 33, Twp 09N, Rge 33E, CLARK County

[illegible]

POU Total Acres: 408.0

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1427.8 AF. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [APRIL 15] AND AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259 USE

IDAHO DEPARTMENT OF WATER RESOURCES
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OF THIS RIGHT WITH RIGHT NO. 32-07257 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 48 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 48 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

4. 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.
5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 110

Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		48.0
31-4010B ,31-2459B ,32-7257 ,32-4074		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		

SubCase:

N/A

Water Supply Bank:

N/A

11/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ZWEIFEL PROPERTIES LLC 5225 WILD DUNES LN IDAHO FALLS, ID 83404 (208) 521-6286

Status: Active

Tributary

Sec. 33, Twp 09N, Rge 33E, CLARK County

[illegible]

POU Total Acres: 408.0

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IDAHO DEPARTMENT OF WATER RESOURCES
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11/18/2020

- RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 143 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-07090B
3. 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.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07090B, 32-07256, 32-07257, 32-07258, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.770		
32-2104B ,32-2105B ,32-7090B ,32-7011B		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	500.5	143.0
32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7011B		

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2020

Water Right 32-7090B

Owner Type **Name and Address**
Current Owner ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404
(208) 521-6286

Priority Date: 3/20/1978

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.830 CFS	185.5 AF
	Total Diversion		0.830 CFS	185.5 AF

Source and Point(s) of Diversion

GROUND WATER NENE Sec. 33, Twp 09N, Rge 33E, CLARK County

Place Of Use

IRRIGATION within CLARK 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	
09N	33E	33	34.0	34.0	34.0	34.0													136.0
09N	33E	34	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0									272.0

Right Acre Limit: 53.0

POU Total Acres: 408.0

Conditions of Approval:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1427.8 AF. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07256, 32-07257, 32-07258, 32-07259 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.77 CFS. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-07011B USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 500.5 AF.
- COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-07011B USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07256, 32-07257, 32-07258, 32-07259 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 53 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2020

- RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 143 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-07011B
3. 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.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07256, 32-07257, 32-07258, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	500.5	143.0
32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7011B		

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.770		
32-2104B ,32-2105B ,32-7090B ,32-7011B		

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/17/2020

Water Right 32-7256

Owner Type **Name and Address**
Current Owner ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404
(208) 521-6286

Priority Date: 10/6/1951

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	0.610 CFS	136.5 AF
	<u>Total Diversion</u>		0.610 CFS	136.5 AF

Source and Point(s) of Diversion

GROUND WATER NENE Sec. 33, Twp 09N, Rge 33E, CLARK County

Place Of Use

IRRIGATION within CLARK 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	
09N	33E	33	34.0	34.0	34.0	34.0													136.0
09N	33E	34	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0									272.0

Right Acre Limit: 39.0

POU Total Acres: 408.0

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1427.8 AF. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07257, 32-07258, 32-07259
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07257, 32-07258, 32-07259 THIS

IDAHO DEPARTMENT OF WATER RESOURCES
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11/17/2020

- RIGHT IS LIMITED TO THE IRRIGATION OF 39 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. 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.
5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07257, 32-07258, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		

SubCase:

N/A

Water Supply Bank:

N/A

11/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ZWEIFEL PROPERTIES LLC 5225 WILD DUNES LN IDAHO FALLS, ID 83404 (208) 521-6286

Status: Active

Tributary

135.1 AF

Sec. 33, Twp 09N, Rge 33E, CLARK County

[illegible]

POU Total Acres: 408.0

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1427.8 AF. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07258, 32-07259
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07258, 32-07259 THIS

IDAHO DEPARTMENT OF WATER RESOURCES
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11/18/2020

- RIGHT IS LIMITED TO THE IRRIGATION OF 38.6 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 32-04074 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 48 ACRES IN A SINGLE IRRIGATION SEASON.
4. 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.
5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07258, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		48.0
31-4010B ,31-2459B ,32-7257 ,32-4074		

SubCase:
N/A

Water Supply Bank:
N/A

11/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ZWEIFEL PROPERTIES LLC 5225 WILD DUNES LN IDAHO FALLS, ID 83404 (208) 521-6286

Status: Active

Source

GROUND WATER

245.0 AF

Sec. 33, Twp 09N, Rge 33E, CLARK County

[illegible]

POU Total Acres: 408.0

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1427.8 AF. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07259
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07259 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
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4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07259

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2020

Water Right 32-7259

Owner Type **Name and Address**
Current Owner ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404
(208) 521-6286

Priority Date: 1/22/1976

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.190 CFS	42.0 AF
	<u>Total Diversion</u>		0.190 CFS	42.0 AF

Source and Point(s) of Diversion

GROUND WATER NENE Sec. 33, Twp 09N, Rge 33E, CLARK County

Place Of Use

IRRIGATION within CLARK 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	
09N	33E	33	34.0	34.0	34.0	34.0													136.0
09N	33E	34	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0									272.0

Right Acre Limit: 12.0

POU Total Acres: 408.0

Conditions of Approval:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.73 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1427.8 AF. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02104B, 32-02105B, 32-02117B, 32-02119B, 32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 12 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2020

4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 32-02104B, 32-02105B, 32-02117B, 32-02119B,
32-02133B, 32-04074, 32-07011B, 32-07090B, 32-07256, 32-07257, 32-07258

Dates and Other Information

Decreed Date: 10/27/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 110
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.730	1,427.6	408.0
32-2133B ,32-2104B ,32-2105B ,32-2117B ,32-7090B ,32-7257 ,32-2119B ,32-4074 ,32-7011B ,32-7256 ,32-7258 ,32-7259		

SubCase:

N/A

Water Supply Bank:

N/A

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- 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.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Page 6



-  Point of Diversion
-  Water Right Place of Use
-  Proposed Place of Use
-  Township/Range
-  Sections
-  QQ

0 500 1,000 2,000 Feet

*Judith Maldonado***WARRANTY DEED**

THIS INDENTURE is made this 17th day of August, 2018, by Birch Creek Ranches, L.L.C., an Idaho limited liability company, the Grantor, and Zweifel Properties LLC, an Idaho limited liability company, the Grantee, whose mailing address is 5225 Wild Dunes Ln, Idaho Falls, ID 83404.

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

See attached Exhibit "A"

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises; BUT EXCEPTING AND RESERVING unto the Grantor any appurtenant water rights.

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

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

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

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

Birch Creek Ranches, L.L.C.

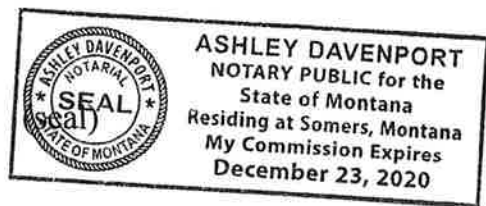


Ted S. Sorenson, president of
corporate manager Birch Power
Company

STATE OF ~~UTAH~~ ^{Montana})
County of ~~Washington~~ ^{Flathead})ss.

On this 17th day of August, 2018, before me the undersigned, a Notary Public, in and for said State, personally appeared Ted S. Sorenson, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that he executed the same as the president of Birch Power Company, the corporate manager for Birch Creek Ranches, L.L.C.

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



^{Montana}
Notary Public for ~~Utah~~ ^{Somers, MT}
Residing at ~~Ivins, Utah~~
My Commission Expires: 12/23/2020

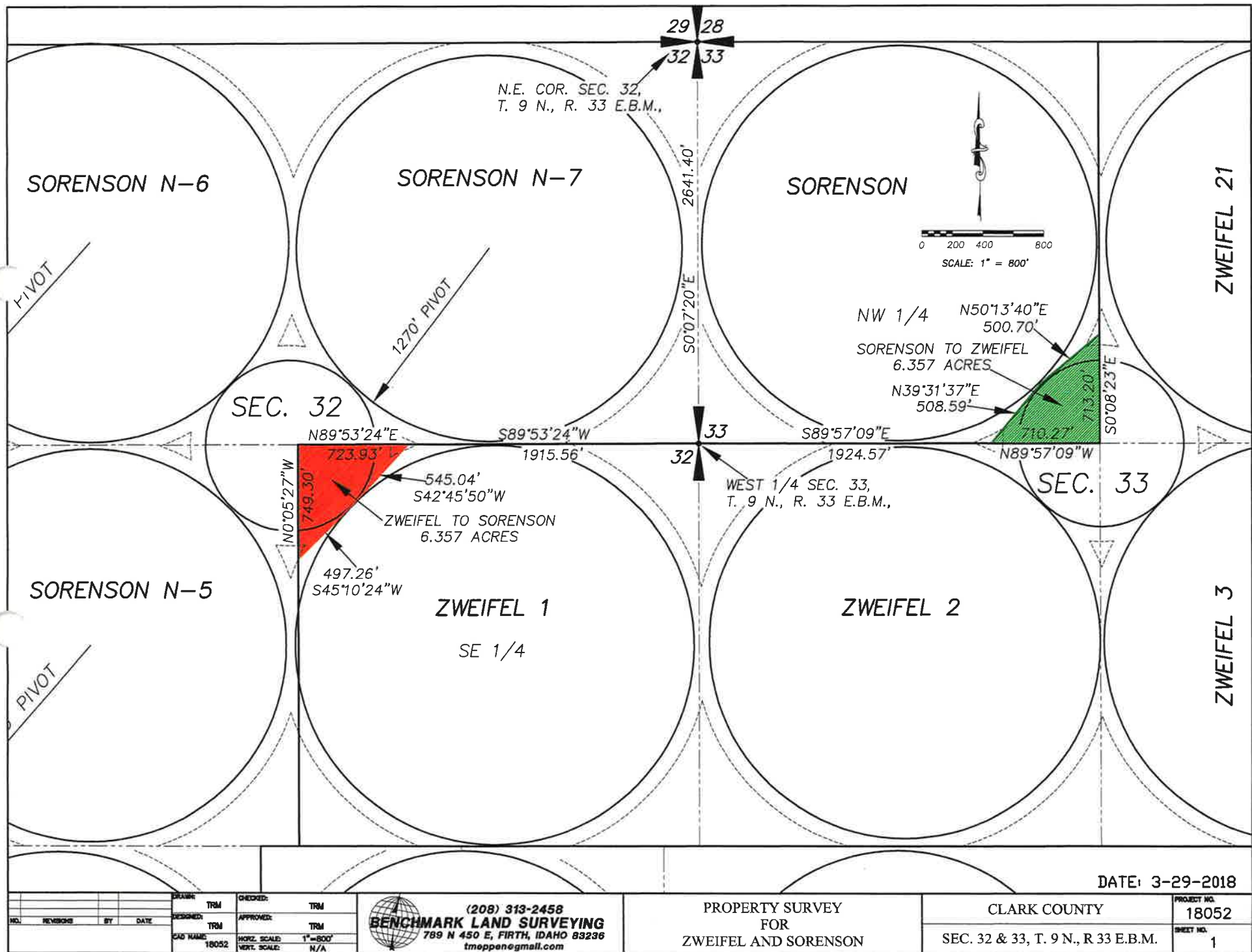
A handwritten signature in dark ink, appearing to read "Ashley Davenport", written over a horizontal line.

Exhibit A

Part of Northwest Quarter of Section 33, Township 9 North, Range 33 East of the Boise Meridian, Clark County, Idaho described as follows:

Beginning at a point on the south line of the Northwest Quarter of said Section 33 that is S.00°07'20"E. 2641.40 feet along the section line to the West Quarter corner of said Section 33 and S.89°57'09"E. 1924.57 feet from the Northwest corner of said Section 33 and running thence N.39°31'37"E. 508.59 feet; thence N.50°13'40"E. 500.70 feet to the east line of the Northwest Quarter of said Section 33; thence S.00°08'23"E. 713.20 feet to the Southeast corner of said Section 33; thence N.89°57'09"W. 710.27 feet to the point of beginning.

EXCEPTING AND RESERVING unto the Grantor any appurtenant water rights.



DATE: 3-29-2018

NO.	REVISIONS	BY	DATE

DRAWN:	TRM	CHECKED:	TRM
DESIGNED:	TRM	APPROVED:	TRM
CAD NAME:	18052	HORIZ. SCALE:	1"=800'
		VERT. SCALE:	N/A



(208) 313-2458
BENCHMARK LAND SURVEYING
 789 N 450 E, FIRTH, IDAHO 83236
 tmeppen@gmail.com

PROPERTY SURVEY
 FOR
 ZWEIFEL AND SORENSON

CLARK COUNTY
SEC. 32 & 33, T. 9 N., R. 33 E.B.M.

PROJECT NO. 18052
SHEET NO. 1

MEMORANDUM

Date: December 11, 2020
To: Transfer 84563
From: Jared Adamson
Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.