

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☒ Ownership change ☐ Ownership split
- ☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** 1000 Springs Ranch LLC Phone 208-871-3100

2. MAILING ADDRESS 401 W. Summit Ridge City Boise

State ID Zip 83702 Email Mike Coughlin <thefootmd@gmail.com>

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☒ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 34-363, 34-760, 34-14461, 34-14462

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 2.5 cubic feet per second and/or n/a acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

6. 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:

Pump in Back Channel of Big Lost River to open ditches for flood irrigation. A measuring device and lockable controlling works will be accommodated as required by Water District 34.

- 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. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

See attached Affidavit of Herb Whitworth regarding use of the water rights.

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☐ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, *Water Rights*, *Water Right Transfers*, *File a Transfer Application*, *Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Michael J. Cooglin
Signature of applicant or authorized agent

Michael J Cooglin
Print name and title if applicable

11/12/20
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8, require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers*, *Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$760.00 Date 11/20/2020 Received by at de Receipt # E046459

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

Water Rights Transfer Map

1000 Springs Ranch, LLC

DATE: 9/24/2020

CREATOR: Igraves

PROJECT: 1582,0010



Absolute Scale: 1:23,500

0 1,250 2,500 Feet

Legend

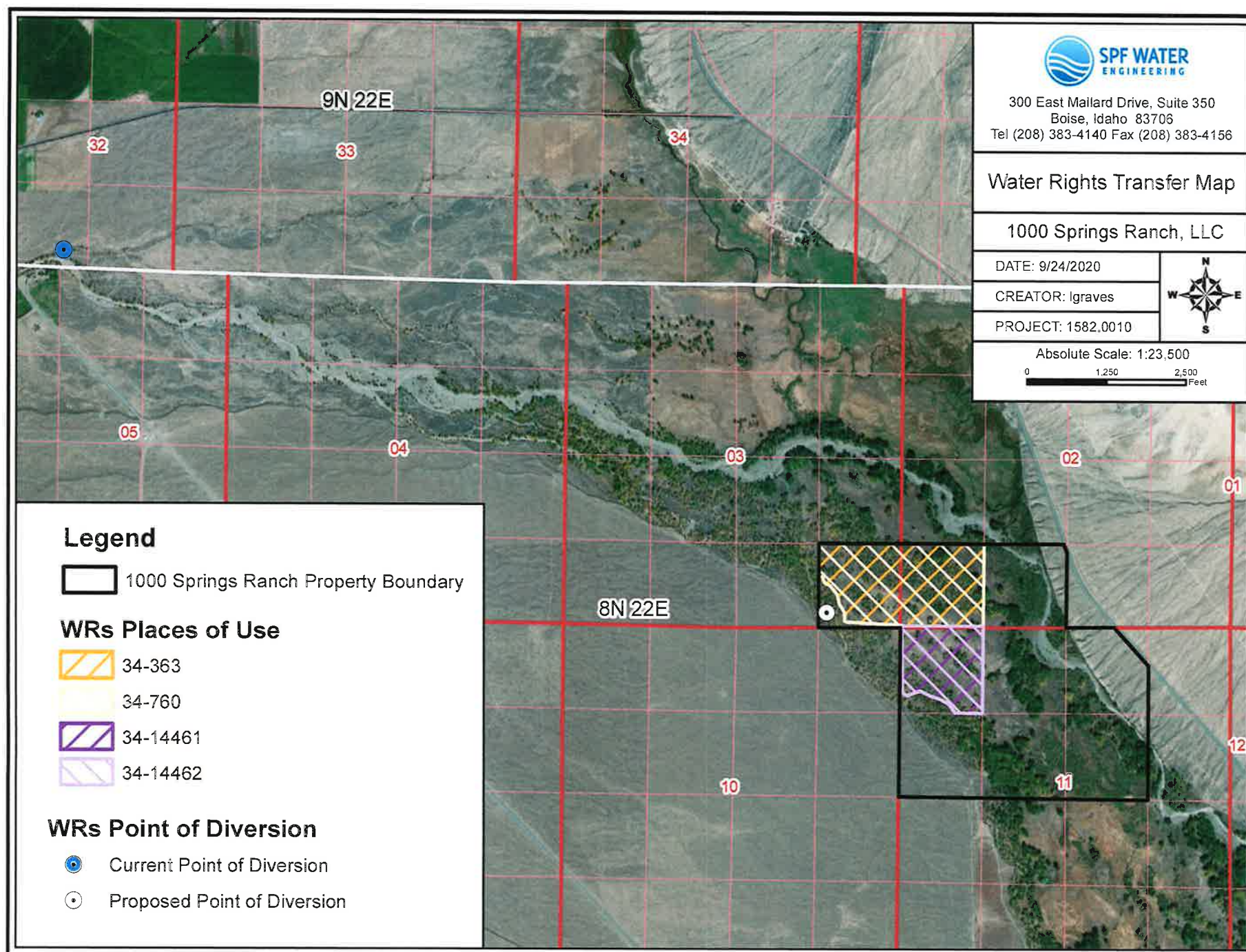
 1000 Springs Ranch Property Boundary

WRs Places of Use

-  34-363
-  34-760
-  34-14461
-  34-14462

WRs Point of Diversion

-  Current Point of Diversion
-  Proposed Point of Diversion



84584

AFFIDAVIT OF HERB WHITWORTH

STATE OF IDAHO)
) ss.
County of Custer)

I, HERB WHITWORTH, being first duly sworn upon oath depose and state as follows:

1. I am currently and have been for 64 years a resident of Custer County, Idaho.

2. In February 1998 Water Rights 34-363 and 34-760 were decreed to me in the SRBA for the irrigation of 786 acres of my ranch in Custer County, Idaho with May 1, 1905 and April 1, 1908 priority dates, respectively. Several other decreed water rights were also combined with 34-363 and 34-760 to irrigate the same decreed 786 acre place of use. These other rights had priority dates ranging from 1875 to 1912.

3. In September 2006 I sold a portion of my ranch in Custer County, Idaho to the Ching Revocable Trust, Robert and Phyllis Ching, Trustees, together with portions of 34-363 and 34-760 for the diversion of 40.5 inches from the Big Lost River to irrigate 38 acres. The splits of 34-363 and 34-760 were renumbered as Water Rights 34-14461 and 34-14462, respectively. At the same time I sold another portion of my ranch to BBB Assets, LLC, managed by Robert Ching, together with the remaining portions of 34-363 and 34-760 for the diversion of 89.5 inches from the Big Lost River to irrigate 70 acres. As part of the sale I leased back the lands from The Ching Revocable Trust and BBB Assets, LLC and continued to operate these two properties together the remaining portions of my ranch and another portion of my original ranch previously sold to Lita West as a single large ranch.

4. The priority dates of 34-363 and 34-760 are very junior compared to many of the

AFFIDAVIT OF HERB WHITWORTH - 1

other water rights used to irrigate the combined place of use. The decreed point of diversion for these rights is the Longhurst Canal which diverts water from the Big Lost River to the North side of the River. The land sold to the Ching Revocable Trust and BBB Assets, LLC is all located on the South side of the River which makes it very difficult to deliver 34-363 and 34-760.

5. In operating both properties together as a single ranch I did what I could with the water available for irrigation. During the limited times that 34-363 and 34-760 were available due to their priority dates, it did not make operational sense to try to irrigate the 108 acres of the Ching Revocable Trust and BBB Assets, LLC properties located on the other side of the Big Lost River from the Longhurst Canal delivery system. As a result 34-363, 34-760, 34-14461 and 34-14462 have not been used to irrigate the Ching Revocable Trust and BBB Assets, LLC properties since 2006 and, instead, I used that land for grazing cattle.

5. I am over the age of eighteen and competent to testify under oath as to all the matters set forth above in this Affidavit.

DATED this 31 day of August, 2020.

Herb Whitworth
HERB WHITWORTH

SUBSCRIBED AND SWORN TO before me this 31 day of August, 2020.



Glenda Jardine
NOTARY PUBLIC for Idaho
Residing at: Wachau
My Comm. Expires: August 31, 2022

AFFIDAVIT OF HERB WHITWORTH - 2

84584



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

[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

7/16/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-363

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BBB ASSETS LLC 150 LIMELIGHT WAY OROVILLE, CA 95966-9282 5303218114
Original Owner	EVAN IVIE 1131 DOVER DR PROVO, UT 84604

Priority Date: 05/01/1905

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.61 CFS	
Total Diversion			0.61 CFS	

Location of Point(s) of Diversion:

84584

BIG LOST RIVER|SESWSE|Sec. 32|Township 09N|Range 22E|CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	22E	2		SWSW	35									
		3		SESE	35									

Total Acres: 70

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-363 AND 34-760.
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. WATER IS DELIVERED THROUGH LONGHURST DITCH.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

84584

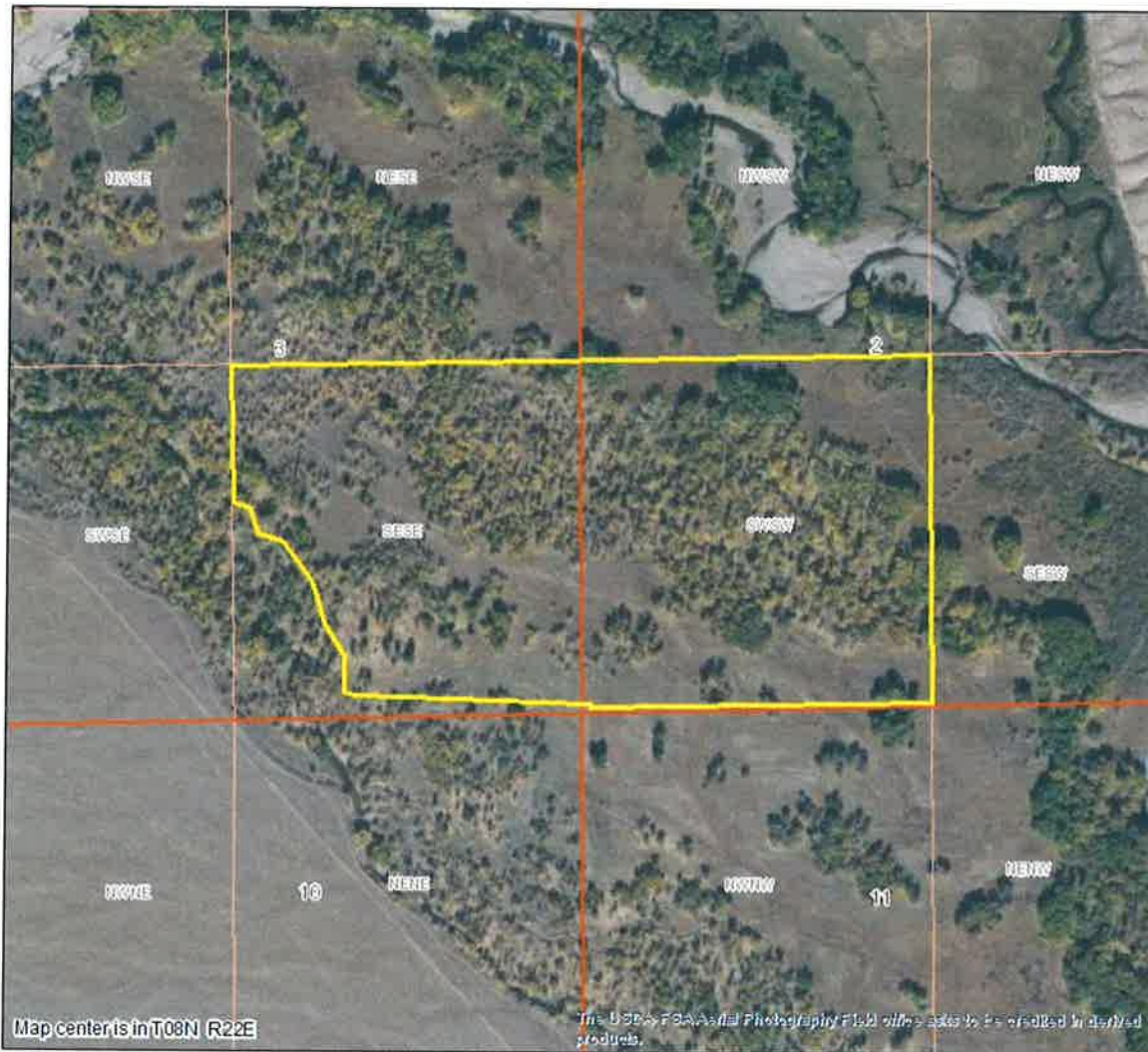
State of Idaho
Department of Water Resources

Water Right

34-363

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

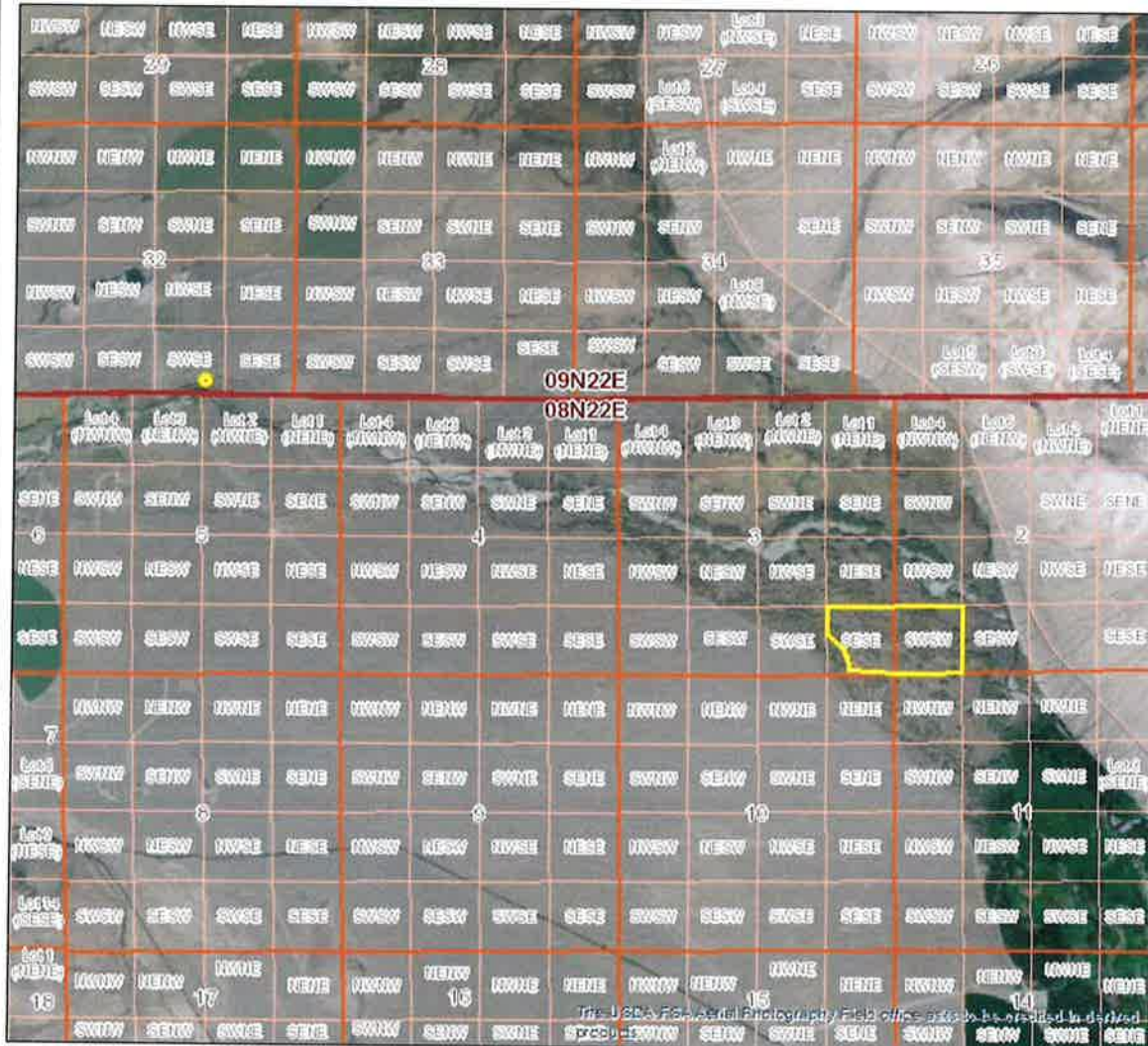


State of Idaho
Department of Water Resources
Water Right

34-363

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Date created: 7/15/2020

84584



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

[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

7/16/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-760

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BBB ASSETS LLC 150 LIMELIGHT WAY OROVILLE, CA 95966-9282 5303218114

Priority Date: 06/30/1906

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	1.08 CFS	
Total Diversion			1.08 CFS	

Location of Point(s) of Diversion:

BIG LOST RIVER|SESWSE|Sec. 32|Township 09N|Range 22E|CUSTER County

84584

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	22E	2		SWSW	35									
		3		SESE	35									

Total Acres: 70

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-363 AND 34-760.
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. WATER IS DELIVERED THROUGH LONGHURST DITCH.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

84584

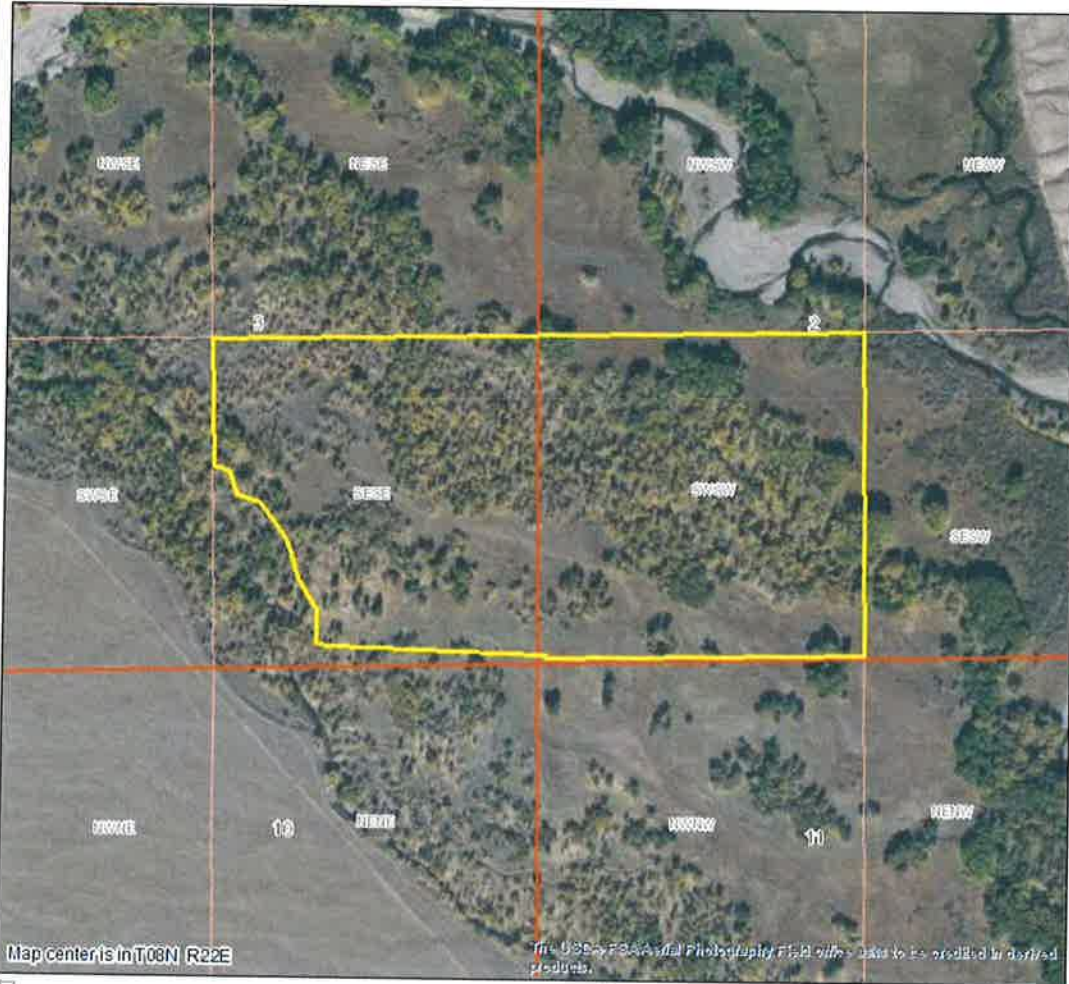
State of Idaho
Department of Water Resources

Water Right

34-760

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Date created: 9/24/2020

84584

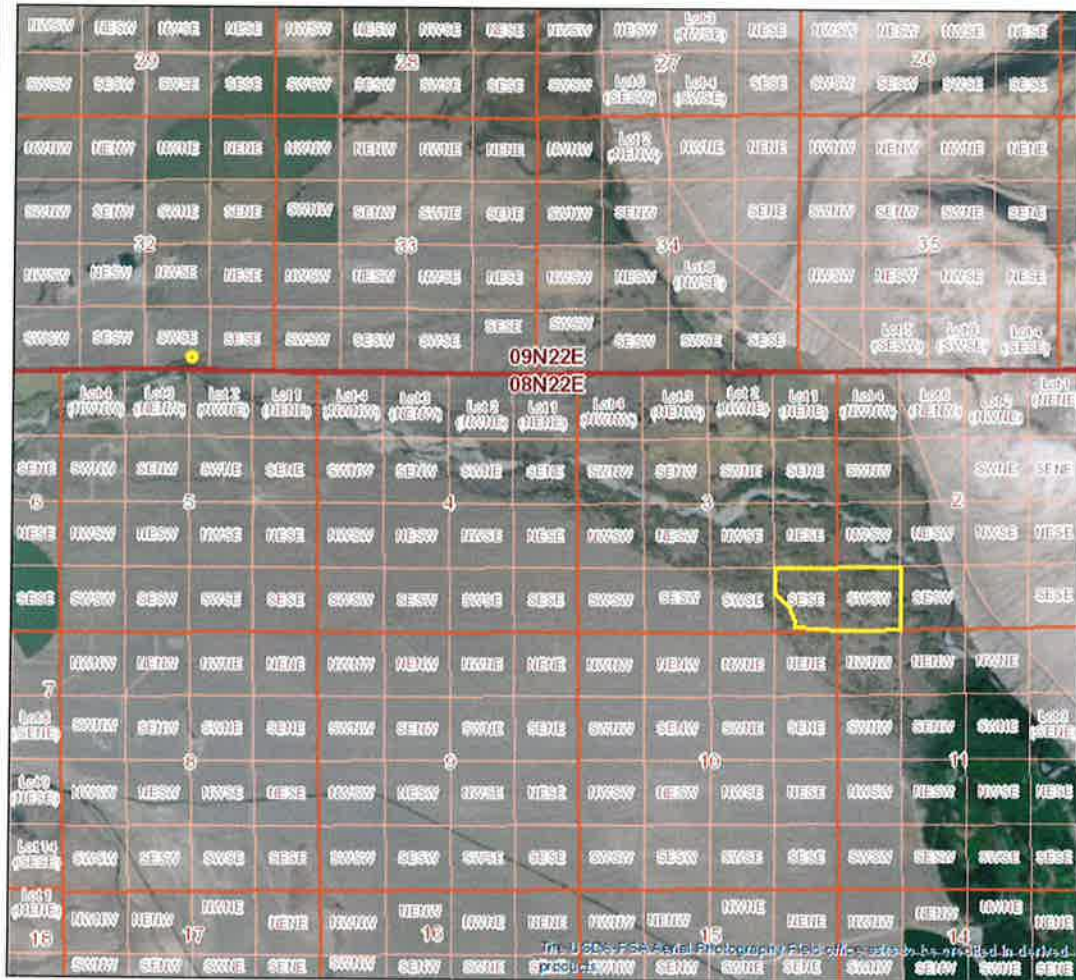
State of Idaho
Department of Water Resources

Water Right

34-760

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 9/24/2020



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



84584



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

[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

7/16/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-14461

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHING REVOCABLE TRUST 150 LIMELIGHT WAY OROVILLE, CA 95966-9282 5303218114
Current Owner	HCRSD LLC 150 LIMELIGHT WY OROVILLE, CA 95966
Original Owner	EVAN IVIE 1131 DOVER DR PROVO, UT 84604

Priority Date: 05/01/1905

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.29 CFS	
Total Diversion			0.29 CFS	

84584

Location of Point(s) of Diversion:

BIG LOST RIVER|SESWSE|Sec. 32|Township 09N|Range 22E|CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	22E	11		NWNW	38									

Total Acres: 38

Conditions of Approval:

1. WATER IS DELIVERED THROUGH LONGHURST DITCH.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.81 CFS. COMBINED RIGHT NOS.: 34-14461 AND 34-14462
3. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
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. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 38 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-14461 AND 34-14462

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

84584

State of Idaho
Department of Water Resources

Water Right

34-14461

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Data created: 7/15/2020



Legend

- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



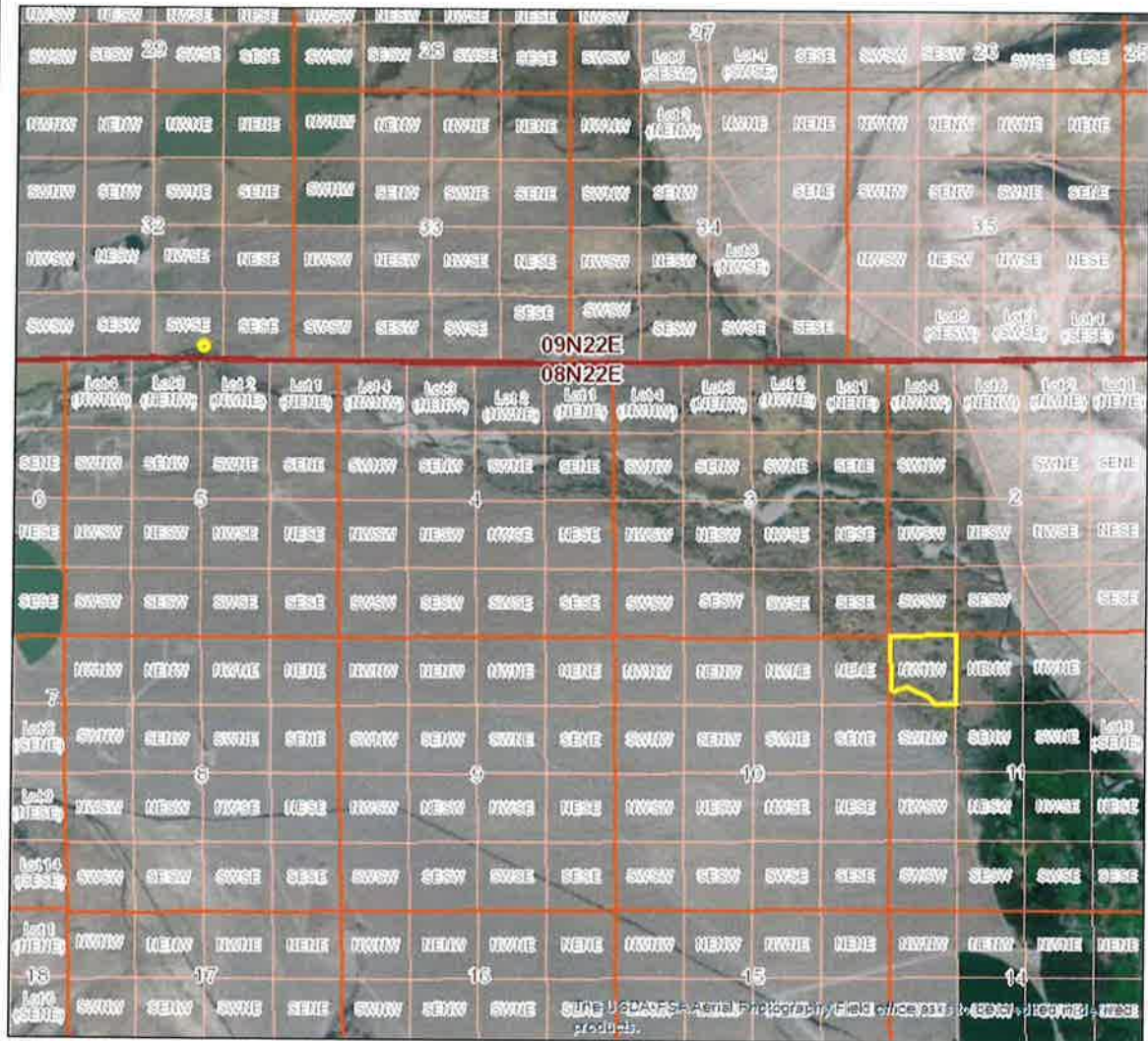
84584

State of Idaho
Department of Water Resources
Water Right

34-14461

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Data created: 7/10/2009



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



84584



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

[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

7/16/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-14462

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHING REVOCABLE TRUST 150 LIMELIGHT WAY OROVILLE, CA 95966-9282 5303218114
Current Owner	HCRSD LLC 150 LIMELIGHT WY OROVILLE, CA 95966

Priority Date: 06/30/1906

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.52 CFS	
Total Diversion			0.52 CFS	

Location of Point(s) of Diversion:

84584

BIG LOST RIVER|SESWSE|Sec. 32|Township 09N|Range 22E|CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08N	22E	11		NWNW	38									

Total Acres: 38

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.81 CFS. COMBINED RIGHT NOS.: 34-14461 AND 34-14462
2. 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.
3. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
4. WATER IS DELIVERED THROUGH LONGHURST DITCH.
5. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 38 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-14461 AND 34-14462

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 34

Generic Max Rate per Acre: 0.02

84584

State of Idaho
Department of Water Resources

Water Right

34-14462

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 10/16/2000



Legend

- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



84584

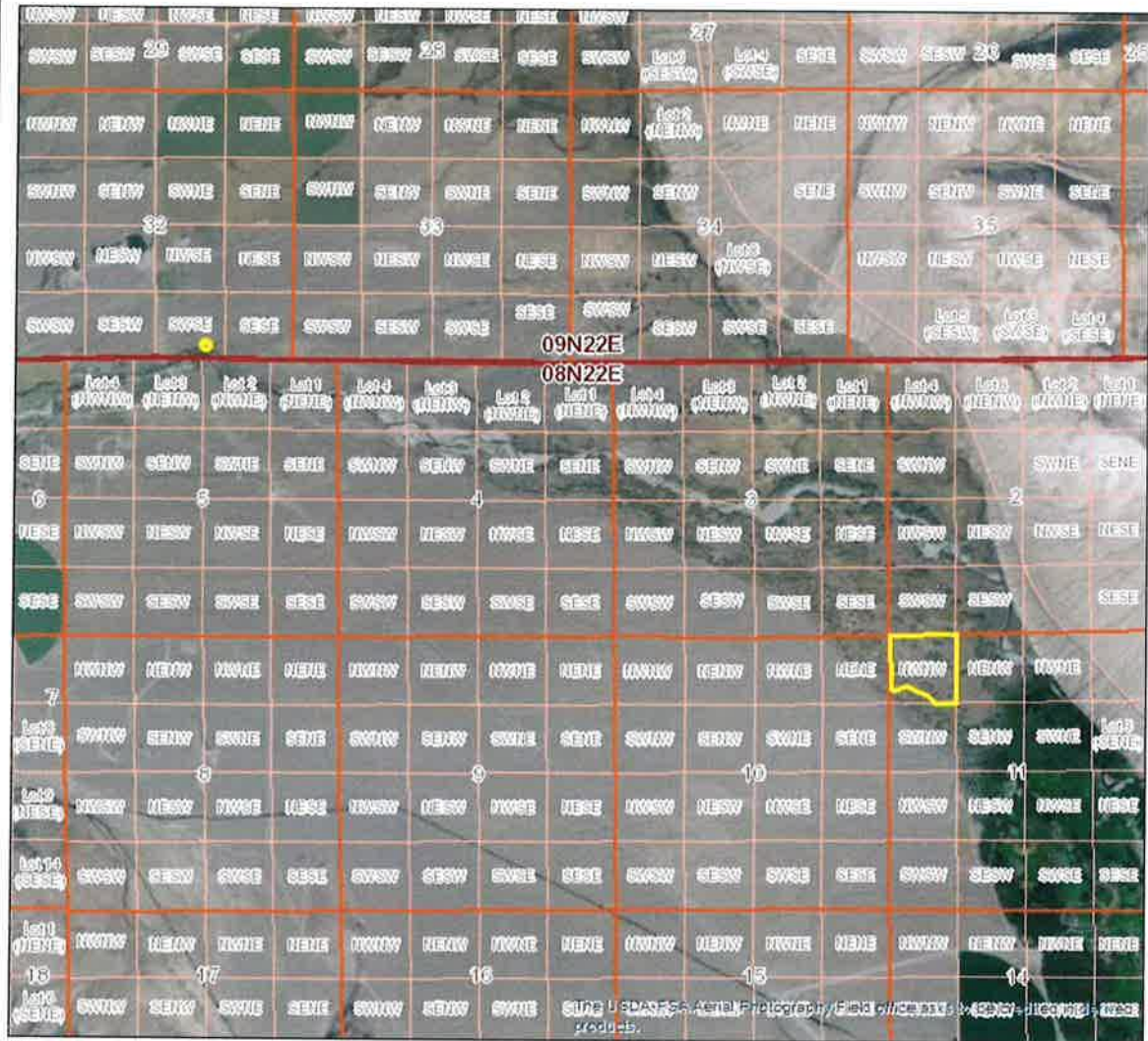
State of Idaho
Department of Water Resources

Water Right

34-14462

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 7/10/2020



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



84584



491 N. Main Street, Suite 102
Ketchum, ID 83340

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 734016 / ATEC #509202

Instrument # 259097

CHALLIS, CUSTER, IDAHO
11-06-2020 12:42:57 No. of Pages: 7
Recorded for: PIONEER TITLE CANYON - CALDWELL
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: KW

WARRANTY DEED

For Value Received M. Robert Ching and Phyllis J. Ching, Trustees of the Ching Revocable Trust Agreement dated September 7, 2000, as to an undivided 50% interest in Parcel 1 and BBB Assets LLC, a Delaware limited liability company, as to Parcel 2 and HCRSD, LLC, a Hawaii Limited Liability Company, as to an undivided 50% interest in Parcel 1

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

1000 Springs Ranch, LLC, an Idaho limited liability company

hereinafter referred to as Grantee, whose current address is 401 W Summit Ridge Rd Boise, ID 83702-2931

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 14, 2020

The Ching Revocable Trust Agreement dated September 7, 2000

By: M. Robert Ching
M. Robert Ching, Trustee

By: Phyllis J. Ching
Phyllis J. Ching, Trustee

BBB Assets LLC, a Delaware limited liability company

By: Marshall Robert Ching
Marshall Robert Ching, M.D., Manager

HCRSD, LLC, a Hawaii Limited Liability Company

By: _____
Scott Halliday, Manager

84584



Instrument # 259097

491 N. Main Street, Suite 102
Ketchum, ID 83340

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 734016 / ATEC #509202

WARRANTY DEED

For Value Received M. Robert Ching and Phyllis J. Ching, Trustees of the Ching Revocable Trust Agreement dated September 7, 2000, as to an undivided 50% interest in Parcel 1 and BBB Assets LLC, a Delaware limited liability company, as to Parcel 2 and HCRSD, LLC, a Hawaii Limited Liability Company, as to an undivided 50% interest in Parcel 1

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

1000 Springs Ranch, LLC, an Idaho limited liability company

hereinafter referred to as Grantee, whose current address is 401 W Summit Ridge Rd Boise, ID 83702-2931

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 14, 2020

The Ching Revocable Trust Agreement dated September 7, 2000

By: _____
M. Robert Ching, Trustee

By: _____
Phyllis J. Ching, Trustee

BBB Assets LLC, a Delaware limited liability company

By: _____
Marshall Robert Ching, M.D., Manager

HCRSD, LLC, a Hawaii Limited Liability Company

By: _____
Scott Halliday, Manager

84584

State of _____, County of _____

This record was acknowledged before me on _____ by M. Robert Ching and Phyllis J. Ching, as Trustees of the Ching Revocable Trust Agreement dated September 7, 2000.

Signature of notary public _____

Commission Expires: _____

State of _____, County of _____

This record was acknowledged before me on _____ by Marshall Robert Ching and Phyllis J. Ching, as _____ of BBB Assets LLC, a Delaware limited liability company.

Signature of notary public _____

Commission Expires: _____

State of _____, County of _____

This record was acknowledged before me on _____ by Scott Halliday, as Manager of HCRSD, LLC, a Hawaii limited liability company.

Signature of notary public _____

Commission Expires: _____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of BUTTE

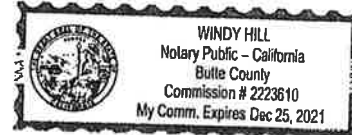
On November 4, 2020 before me, WINDY HILL, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared M. Robert Ching and Phyllis J. Ching
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Windy Hill (Seal)



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

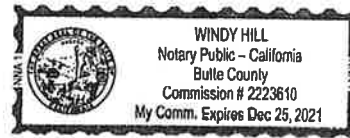
State of California
County of BUTTE

On November 4, 2020 before me, WINDY HILL, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared Marshall Robert Ching
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Windy Hill (Seal)

State of Washington, County of King

Instrument # 259097

This record was acknowledged before me on _____ by M. Robert Ching and Phyllis J. Ching, as Trustees of the Ching Revocable Trust Agreement dated September 7, 2000.

Signature of notary public _____
Commission Expires: _____

State of _____, County of _____

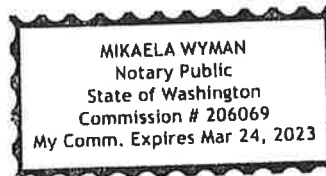
This record was acknowledged before me on _____ by Marshall Robert Ching and Phyllis J. Ching, as _____ of BBB Assets LLC, a Delaware limited liability company.

Signature of notary public _____
Commission Expires: _____

State of Washington, County of King

This record was acknowledged before me on November 4th 2020 by Scott Halliday, as Manager of HCRSD, LLC, a Hawaii limited liability company.

[Signature]
Signature of notary public _____
Commission Expires: March 24th, 2023



84584

Parcel 1

Part of Section 2, 3 and 11, Township 8 North, Range 22 East, Boise Meridian, Custer County, Idaho described as:

BEGINNING at the Northwest corner of Section 11;
Thence South 88°33'23" West 1287.19 feet to the Southwest corner of the Southeast Quarter Southeast Quarter Section 3;
Thence North 00°53'28" West 1322.77 feet to the Northwest corner of said Southeast Quarter Southeast Quarter;
Thence North 88°58'32" East 1295.26 feet to the Northeast corner of said Southeast Quarter Southeast Quarter;
Thence in Section 2 North 88°47'46" East 2553.18 feet to the intersection of the Westerly right of way of Highway 93 and the North line of the Southeast Quarter Southwest Quarter Section 2;
Thence South 21°15'24" East 154.91 feet along said right of way to a point on the East line of said Southeast Quarter Southwest Quarter;
Thence South 00°24'21" East 1160.62 feet to the Southeast corner of said Southeast Quarter Southwest Quarter;
Thence North 88°38'10" East 743.55 feet along the North line of the West Half Northeast Quarter Section 11 to a point on the Westerly right of way of Highway 93;
Thence South 43°05'24" East 836.01 feet along said right of way to a point on the East line of the West Half Northeast Quarter Section 11;
Thence South 01°06'44" East 2057.94 feet to the Southeast corner of said West Half Northeast Quarter;
Thence South 89°16'07" West 3926.82 feet to the West Quarter corner of Section 11;
Thence North 00°42'28" West 2638.68 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM:

The Southeast Quarter Southeast Quarter Section 3, and the Southwest Quarter Southwest Quarter Section 2, Township 8 North, Range 22 East, Boise Meridian, Custer County, Idaho.

Parcel 2

COMMENCING at the Northwest corner of Section 11, Township 8 North, Range 22 East, Boise Meridian, Custer County, Idaho;
Thence North 88°38'10" East. 2605.43 feet along the section line to the North Quarter corner of Section 11;
Thence North 88°38'10" East 877.54 feet to the POINT OF BEGINNING.
Said point being on the Northerly right of way of Highway 93;
Thence North 88°38'10" East 425.18 feet to the Northeast corner of the West Half Northeast Quarter Section 11;
Thence South 01°06'45" East 474.44 feet along the East line of said West Half Northeast Quarter to a point on the Northerly right of way of Highway 93;
Thence North 43°05'24" West 635.69 feet along said right of way to the POINT OF BEGINNING.

Parcel 3

The Southeast Quarter Southeast Quarter Section 3, and the Southwest Quarter Southwest Quarter Section 2, Township 8 North, Range 22 East, Boise Meridian, Custer County, Idaho.



November 17, 2020

IDWR Eastern Region Office
900 N Skyline Dr #A
Idaho Falls ID 83402

Attention: Sharla Cox

Subject: *Application for Transfer, Notice of Change in Water Right Ownership*
1000 Springs Ranch LLC

Dear Sharla,

Enclosed on behalf of 1000 Springs Ranch, LLC, is a *Transfer Application* proposing a point of diversion change and ownership update for four water rights appurtenant to property the applicant has recently purchased. An affidavit from the previous land owner (Whitworth) is provided in support of the transfer. This application is similar to recently approved Transfer No. 82596 that was processed by Cooper Fritz.

Also enclosed is a *Notice of Change in Water Right Ownership* for applicant's portions of two instream stockwater rights associated with the newly acquired property.

Check No. 143 for \$960 is enclosed for the filing fees covering:

- \$660 for the transfer application
- \$100 for changing water right ownership of the four transfer rights
- \$200 for splitting and changing water right ownership of the two in-stream stockwater rights

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Mike Coughlin

Enclosures

SPF file number: 1582.0010



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

December 31, 2020

1000 SPRINGS RANCH LLC
401 WEST SUMMIT RIDGE
BOISE, ID 83702

RE: Transfer No. 84584

Water Right No(s). 34-14461, 34-14462, 34-363, 34-760

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 CHALLIS MESSENGER on 1/6/2021 and 1/13/2021. 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,

A handwritten signature in blue ink, appearing to read 'CH' followed by a stylized flourish.

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Thursday, December 31, 2020 11:42 AM
To: 'watermaster34@atcnet.net'
Subject: Application for Transfer No. 84584
Attachments: RecommendationForm Transfer20.docx

Watermaster:

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

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

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

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

Henman, Christina

From: Henman, Christina
Sent: Thursday, December 31, 2020 1:45 PM
To: CHALLIS MESSENGER (legalnotices@postregister.com)
Subject: Legal Notice for Challis Messenger
Attachments: 84584, 84588 Challis Messenger.docx

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226-0405

RE: Transfer No. 84584, 84588
Water Right No(s). 34-14461, 34-14462, 34-363, 34-760, 34-10079

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 1/25/2021. 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. 84584**

1000 SPRINGS RANCH LLC, 401 WEST SUMMIT RIDGE, BOISE, ID 83702 has filed Application No. 84584 for changes to the following water rights within CUSTER County(s): Right No(s). 34-14461, 34-14462, 34-363, 34-760; 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. The proposed point of diversion is in SESE Sec 3 T8N R22E for 2.50 cfs from Big Lost River

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 1/25/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/6/2021 and 1/13/2021