

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84270

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
JUL 21 2020

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 www.idwr.idaho.gov.

Name of Applicant(s) Elaine Sorensen

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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Elaine R. Sorensen Phone _____

Mailing address 3871 W. 2500 N., Moore, ID, 83213 Email _____

- ☐ 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 Luke H. Marchant Phone (208) 523-0620

Mailing address PO Box 50130, Idaho Falls, ID 83405 Email lmarchant@holdenlegal.com

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

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


Signature of Applicant or Authorized Representative

Luke H. Marchant, Attorney
Print Name and Title if applicable

July 21, 2020
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- 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.2**.
SEE ATTACHED SHEET.

Part 1A.2

This Application will change the place of use and points of diversion for Water Right Nos. 34-7052 and 34-7110 and combine those two water rights with Water Right Nos. 34-170, 34-496A, 34-556, 34-692D, 34,10319, 34-2332, 34-2424B, 34-2428, 34-7035B, 34-7079, 34-12416, and 34-13841 to create a 2,598-acre permissible place of use within which 1,837 acres will be authorized for irrigation. The Application will also update ownership of Water Right No. 34-10319.

The proposed place of use has been irrigated since 2012. Water Right Nos. 34-7052 and 34-7110 were authorized to irrigate 472 acres within the proposed place of use through Water Supply Bank lease/rental contracts. This Application will make the changes that were authorized through those Water Supply Bank approvals permanent.

As described above, this Application will stack all the water rights and create a 2,598-acre permissible place of use within which 1,837 acres will be authorized for irrigation. Furthermore, this Application will allow the Applicant to divert any of the ground water rights in this Application from any of the five wells that are included in this Application. The Applicant does not anticipate diverting any more water from any of the wells than has been done since 2012; the Applicant only wants the ability to use any of the wells to divert the water rights in the event that a well goes down during the irrigation season.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	34-7052	6	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	34-7110	8.07	Irrigation	04/01 to 11/01	Big Lost River
☒ ☐	34-170	1.2	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-496A	1.2	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-556	2.8	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-692D	1.2	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-10319	3	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-2332	2.9	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	34-2424B	2.27	Irrigation	04/01 to 10/31	Ground Water

Total authorized under rights 35.54 cfs and/or _____ acre-feet. Additional water rights on attached sheet.

2. Total amount of water proposed to be transferred or changed 9.89 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 #
		NW	SE	SE	04	05N	26E	Butte	Big Lost River	Moore Diversion
			SE	SE	05	04N	26E	Butte	Ground Water	
			SE	NE	05	04N	26E	Butte	Ground Water	
	1		NE	NE	05	04N	26E	Butte	Ground Water	
			NW	NW	21	05N	26E	Butte	Ground Water (2 wells)	

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	
			SEE ATTACHED SPREADSHEET																
Total Acres (for irrigation use)																	1837		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF A WATER RIGHT

Supplemental Page for Description of Rights after Transfer**

[illegible]

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

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Land List

Permissible Place of Use

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	
03N	25E	2					35	34	35	35	40	40	40	40					299
		3	34	35			35	35									40	40	219
		10	40	40															80
		11	40	40	40	40	40	40	40	40					40	40	40	40	480
04N		27	40	40	40	40								40	40	40	40	40	360
		34	40	40	40	40	40	40	40	40	40		40	40	40	40	40	40	600
		35					40	40	40	40	40	40	40	40					320
	26E	5	40	40	40	40									40			40	240
Total Acres (for irrigation use)																			2598

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Department of Water Resources
Eastern Region

PART 1.B.4
Description of Place of Use

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	
03N	25E	2					39	39	30	27	33	33	35	39					275
		3	39	39													33	33	144
		10	33	33															66
		11	37	40	34	32	40	35	35	32					35	34	34	32	420
04N		27													18	10	21	34	83
		34	34	38	40	40									40	40	36	40	308
		35					35	34	40	40	40	40	39	40					308
	26E	5	39	38	39	39									39			39	233
Total Acres (for irrigation use)																			1837

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

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

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Surface water is diverted at the Moore Diversion. Ground water is diverted from five wells that pump either into a pressurized mainline or alternately, into the Timberdome Canal. All wells have measuring devices and controlling works.

- b. Who owns the property at the point(s) of diversion? Applicant owns all wells, BLRID manages Moore Canal Diversion
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Applicant enters into transport agreements with the Big Lost River Irrigation District (BLRID) to convey surface water through the Moore Canal to the Timberdome Canal.

- 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: Idaho Ag Credit FLCA, Mortgage

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:
This transfer will make permanent changes that have been authorized through the Water Supply Bank since 2012. There will be no new land irrigated, but the current legal description for the place of use of Water Right Nos. 34-7110 and 34-7052 will be permanently changed and that ground will be permanently dried up.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Multiple water rights are diverted at BLRID's Moore Diversion.

- 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:

Water Right Nos. 34-7110, 34-7052, 34-2428, 34-7035B, 34-7052, and 34-12416 are currently leased to the Water Supply Bank and rented by the Applicant for the 2020 irrigation season only.

Part 2A

Water Right Reports

84270



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

WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-7052

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELAINE R SORENSEN
Current Owner	MITCHELL D SORENSEN
	3871 W 2500 N
	MOORE, ID 83255-8722
	2085273271
Directors Report Owner	ELDON W JACOBSEN
	3711 WINDING CREEK RD
	SACRAMENTO, CA 95864
	9164857887
Original Owner	ROUNDY & GODFREY
	ARCO, ID 83213
Security Interest	IDAHO AGCREDIT FLCA
	1586 N 2ND E
	REXBURG, ID 83440-5129

Priority Date: 11/13/1973

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	6 CFS	2195.5 AFA

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Total Diversion | 6 CFS | 2195.5 AFA

Location of Point(s) of Diversion:

GROUND WATER Injection	NWNWNW	Sec. 26	Township 04N	Range 26E	BUTTE County
GROUND WATER Rediversion	NWNWNW	Sec. 26	Township 04N	Range 26E	BUTTE County
GROUND WATER	NWSWSW	Sec. 27	Township 05N	Range 26E	BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	27E	28		NWSW	40		SWSW	40						
		29		NESW	39		NWSW	40	4	SWSW	39	3	SESW	39
				NESE	40		NWSE	40	2	SWSE	39	1	SESE	39
		32		NWNW	39		SWNW	38						

Total Acres: 472

Conditions of Approval:

1. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM BIG LOST RIVER.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-07110 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.49 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2360 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-07110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 472 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. WATER IS DELIVERED THROUGH ISLAND CANAL AND ARCO CANAL.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Permit Proof Due Date: 1/1/1979

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 1/9/1974

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

84270

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:

Generic Max Volume per Acre:

Combined Acres Limit: 472

Combined Volume Limit: 2360

Combined Rate Limit: 13.49

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): ELAINE R SORENSEN
MITCHELL D SORENSEN
RICHARD POTTER

Lease Status: Active

Lease Amount: 2195.5

Rental Availability: 2195.5

Date Received: 1/30/2014

Lease Begin Date: 1/1/2014

Expiration Date: 12/31/2018



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WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-7110

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELAINE R SORENSEN
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Directors Report Owner	ELDON W JACOBSEN 3711 WINDING CREEK RD SACRAMENTO, CA 95864 9164857887
Original Owner	ROUNDY & GODFREY PO BOX 514 ARCO, ID 83213
Security Interest	IDAHO AGCREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5129

Priority Date: 05/15/1975

Basis: Decreed

Status: Active

Water Supply Bank 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>
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IRRIGATION | 4/01 | 11/01 | 8.07 CFS
Total Diversion | | | 8.07 CFS

Location of Point(s) of Diversion:

BIG LOST RIVER | NWNWNW | Sec. 26 | Township 04N | Range 26E | BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
04N	27E	28		NWSW	40		SWSW	40						
		29		NESW	39		NWSW	40	4	SWSW	39	3	SESW	39
				NESE	40		NWSE	40	2	SWSE	39	1	SESE	39
		32		NWNW	39		SWNW	38						

Total Acres: 472

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-07052 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.49 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2360 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-07052 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 472 ACRES 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.
4. WATER IS DELIVERED THROUGH ARCO CANAL.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Permit Proof Due Date: 7/1/1976

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 6/24/1975

Permit Moratorium Expiration Date:

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:

Generic Max Volume per Acre:

Combined Acres Limit: 472

Combined Volume Limit: 2360

Combined Rate Limit: 13.49

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): ELAINE R SORENSEN
MITCHELL D SORENSEN
RICHARD POTTER

Lease Status: Active

Lease Amount: 8.07

Rental Availability: 8.07 cfs

Date Received: 1/30/2014

Lease Begin Date: 1/1/2014

Expiration Date: 12/31/2018



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WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-170

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELAINE R SORENSEN
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Original Owner	HILLCREEK PROPERTIES
Original Owner	CHARLES H MC FARLAND 4500 IMPERIAL AVE SAN DIEGO, CA 92113 6192620861
Security Interest	IDAHO AGCREDIT PCA PO BOX 985 BLACKFOOT, ID 83221-0985 8006868910

Priority Date: 05/01/1886

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	5/01	10/15	1.2 CFS	
Total Diversion			1.2 CFS	

Location of Point(s) of Diversion:

BIG LOST RIVER|NWSESE|Sec. 04|Township 05N|Range 26E|BUTTE County

IRRIGATION Use:

Acre Limit: 60

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
03N	25E	2		NESW	33		NWSW	33		SWSW	33		SESW	33
		3		SWSE	33		SESE	33						
		10		NENE	33		NWNE	33						

Total Acres: 264

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 THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS. COMBINED RIGHT NOS.: 34-00556, 34-02332 AND 34-07079.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 264 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00556, 34-02332 AND 34-07079. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 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. WATER IS DELIVERED THROUGH THE MOORE CANAL TO CROSSOVER DITCH TO TIMBERDOME CANAL.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 05/30/2001

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:

Generic Max Volume per Acre:

Combined Acres Limit: 264

Combined Volume Limit:

Combined Rate Limit: 6.9

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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

WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-496A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Security Interest	IDAHO AGCREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5129

Priority Date: 06/01/1896

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	5/01	10/15	1.2 CFS	
Total Diversion			1.2 CFS	

Location of Point(s) of Diversion:

BIG LOST RIVER|NWSESE|Sec. 04|Township 05N|Range 26E|BUTTE County

IRRIGATION Use:

Acre Limit: 60

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	25E	2	3	NENW	39	4	NWNW	39		SWNW	40		SENW	40
		3	1	NENE	39	2	NWNE	39						
04N		34		NENE	39		NWNE	38		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		35		NENW	38		NWNW	38		SWNW	40		SENW	40
				NESW	20		NWSW	40		SWSW	39		SESW	20

Total Acres: 828

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 945 ACRES WITHIN THE PLACE OF DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00692D, 34-02428, 34-07096A, 34-07097A, 34-07223 AND 34-12416. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 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.
4. WATER DELIVERED THROUGH THE MOORE AND TIMBER DOME CANALS.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 05/22/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 945

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-556

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELAINE R SORENSEN
Current Owner	MITCHELL D SORENSEN
	3871 W 2500 N
	MOORE, ID 83255-8722
	2085273271
Attorney	ROBERT L HARRIS
	HOLDEN KIDWELL HAHN & CRAPO PLLC
	PO BOX 50130
	IDAHO FALLS, ID 83405-0130
	2085230620
Original Owner	HILLCREEK PROPERTIES
Original Owner	CHARLES H MC FARLAND
	4500 IMPERIAL AVE
	SAN DIEGO, CA 92113
	6192620861
Security Interest	IDAHO AGCREDIT PCA
	PO BOX 985
	BLACKFOOT, ID 83221-0985
	8006868910

Priority Date: 05/01/1886

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	5/01	10/15	2.8 CFS	
Total Diversion			2.8 CFS	

Location of Point(s) of Diversion:

BIG LOST RIVER|NWSESE|Sec. 04|Township 05N|Range 26E|BUTTE County

IRRIGATION Use:

Acre Limit: 140

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
03N	25E	2		NESW	33		NWSW	33		SWSW	33		SESW	33
		3		SWSE	33		SESE	33						
		10		NENE	33		NWNE	33						

Total Acres: 264

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 THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS. COMBINED RIGHT NOS.: 34-00170, 34-02332 AND 34-07079.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A THE IRRIGATION OF A COMBINED TOTAL OF 264 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00170, 34-02332 AND 34-07079. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 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. WATER IS DELIVERED THROUGH THE MOORE CANAL TO THE CROSSOVER DITCH TO THE TIMBERDOME CANAL.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 05/30/2001

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:

Generic Max Volume per Acre:

Combined Acres Limit: 264

Combined Volume Limit:

Combined Rate Limit: 6.9

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-692D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Security Interest	IDAHO AGCREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5129

Priority Date: 07/15/1884

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	5/01	10/15	1.2 CFS	
Total Diversion			1.2 CFS	

Location of Point(s) of Diversion:

BIG LOST RIVER|NWSESE|Sec. 04|Township 05N|Range 26E|BUTTE County

IRRIGATION Use:

Acre Limit: 60

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	25E	2	3	NENW	39	4	NWNW	39		SWNW	40		SENW	40
		3	1	NENE	39	2	NWNE	39						
04N		34		NENE	39		NWNE	38		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		35		NENW	38		NWNW	38		SWNW	40		SENW	40
				NESW	20		NWSW	40		SWSW	39		SESW	20

Total Acres: 828

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 945 ACRES WITHIN THE PLACE OF DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00469A, 34-02428, 34-07096A, 34-07097A, 34-07223 AND 34-12416. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 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.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. WATER DELIVERED THROUGH THE MOORE AND TIMBER DOME CANALS.

Dates:

Licensed Date:

Decreed Date: 05/22/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 945

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-10319

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JERRY L BROWNE
Current Owner	TERESA L BROWNE 3041 N 3350 W MOORE, ID 83255 2085544800
Original Owner	DONALD S HYMAS 3041 N 3350 W MOORE, ID 83255 2085542511
Original Owner	GEORGANNA C HYMAS
Original Owner	DANIEL P JEPPESEN 3041 N 3350 W MOORE, ID 83255 2085542511
Security Interest	IDAHO AGCREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5129

Priority Date: 03/23/1900

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	5/01	10/15	3 CFS	
Total Diversion			3 CFS	

Location of Point(s) of Diversion:

BIG LOST RIVER|NWSESE|Sec. 04|Township 05N|Range 26E|BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
04N	26E	5	1	NENE	39	2	NWNE	38		SWNE	39			

Total Acres: 116

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 RIGHT NO. 34-02424B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.12 CFS.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-02424B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 116 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. THIS RIGHT COMBINES OLD RIGHT NUMBERS 34-00385 AND 34-00751. THIS RIGHT IS DIVERTED THROUGH THE MOORE CANAL.

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

84270

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 116

Combined Volume Limit:

Combined Rate Limit: 3.12

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-2332

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELAINE R SORENSEN
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Original Owner	HILLCREEK PROPERTIES 4500 IMPERIAL AVE SAN DIEGO, CA 92113 6192620861
Original Owner	A ETSEL MOSS 3286 N 3350 W MOORE, ID 83255-8761 2085543041
Security Interest	IDAHO AGCREDIT PCA PO BOX 985 BLACKFOOT, ID 83221-0985 8006868910

Priority Date: 05/06/1955

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	2.9 CFS	
Total Diversion			2.9 CFS	

Location of Point(s) of Diversion:

GROUND WATER | NENWNW | Sec. 21 | Township 05N | Range 26E | BUTTE County
GROUND WATER | NWNWNW | Sec. 21 | Township 05N | Range 26E | BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
03N	25E	2		NESW	33		NWSW	33		SWSW	33		SESW	33
		3		SWSE	33		SESE	33						
		10		NENE	33		NWNE	33						

Total Acres: 264

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-07079 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.90 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 435 AF. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS. COMBINED RIGHT NOS.: 34-00170, 34-00556 AND 34-07079.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-07079 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 264 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00170, 34-00556 AND 34-07079.
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. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT NO. 34-07079 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 11/13/2000

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

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:

Generic Max Volume per Acre:

Combined Acres Limit: 264

Combined Volume Limit:

Combined Rate Limit: 6.9

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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WATER RIGHT REPORT

7/20/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-2424B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELAINE R SORENSEN
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Original Owner	LORRAINE TAYLOR 501 N 400 E FIRTH, ID 83236 2087853439
Original Owner	RICHARD T TAYLOR 501 N 400 E MOORE, ID 83255
Original Owner	DONALD S HYMAS 3041 N 3350 W MOORE, ID 83255 2085542511
Original Owner	GEORGANNA C HYMAS 3041 N 3350 W MOORE, ID 83255 2085542511
Security Interest	IDAHO AG CREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5129 8006328821

Priority Date: 06/13/1961

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	2.27 CFS	371 AFA
Total Diversion			2.27 CFS	371 AFA

Location of Point(s) of Diversion:

GROUND WATER | NENE Lt 1 | Sec. 05 | Township 04N | Range 26E | BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
04N	26E	5	1	NENE	32.1	2	NWNE	35.2		SWNE	38.7			

Total Acres: 106

Conditions of Approval:

1. X35 Rights 34-2424B and 34-10319 when combined shall not exceed a total diversion rate of 3.12 cfs and the irrigation of 116 acres.
2. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
3. 214 Prior to the diversion and use of water under Transfer approval 81268, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

8. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

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

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 116

Combined Volume Limit:

Combined Rate Limit: 3.12

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-2428

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Security Interest	IDAHO AGCREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5129

Priority Date: 04/01/1979

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	3.85 CFS	
Total Diversion			3.85 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSENE|Sec. 05|Township 04N|Range 26E|BUTTE County

IRRIGATION Use:

Acre Limit: 193

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
03N	25E	2	3	NENW	39	4	NWNW	39		SWNW	40		SENW	40
		3	1	NENE	39	2	NWNE	39						
04N		34		NENE	39		NWNE	38		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		35		NENW	38		NWNW	38		SWNW	40		SENW	40
				NESW	20		NWSW	40		SWSW	39		SESW	20
	26E	5		SENE	39									
				NESE	39		SESE	39						

Total Acres: 945

Conditions of Approval:

1. F01 WATER IS DELIVERED THROUGH TIMBER DOME CANAL.
2. F05 RIGHT NO. 34-12416 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. E61 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.83 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUM OF 3229.9. COMBINED RIGHT NUMBERS: 34-2428, 34-7035B AND 34-12416.
4. E51 USE OF THIS RIGHT WITH RIGHT NO. 34-12416 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.85 CFS.
5. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 945 ACRES WITHIN THE PLACE OF DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00496A, 34-00692D, 34-2428, 34-7035B AND 34-12416. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 193 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. 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.
7. K01 RIGHT NO. 34-12416 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
8. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
9. C06 PRIORITY DATE CHANGED TO PREVENT INJURY FROM CHANGE IN USE.

Dates:

Licensed Date:

Decreed Date: 11/13/2000

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

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:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 3.85

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-7035B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Original Owner	RODNEY A PEARSON 3434 W 2900 N MOORE, ID 83255 2085273360
Security Interest	IDAHO AGCREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5129

Priority Date: 04/12/1973

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	4.98 CFS	1293.3 AFA
Total Diversion			4.98 CFS	1293.3 AFA

Location of Point(s) of Diversion:

GROUND WATER|SESE|Sec. 05|Township 04N|Range 26E|BUTTE County

IRRIGATION Use:

Acre Limit: 369.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
03N	25E	2		NENW	39		NWNW	39		SWNW	40		SENW	40
		3		NENE	39		NWNE	39						
04N		34		NENE	39		NWNE	38		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		35		NENW	38		NWNW	38		SWNW	40		SENW	40
				NESW	20		NWSW	40		SWSW	39		SESW	20

Total Acres: 828

Conditions of Approval:

1. B09 THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 34.
2. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 945 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-496A, 34-692D, 34-2428, 34-7035B AND 34-12416.
3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 369.5 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. E61 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.83 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3751.6 AF. COMBINED RIGHT NOS.: 34-2428, 34-7035B AND 34-12416.
6. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. F01 WATER IS DELIVERED THROUGH THE TIMBER DOME CANAL.

Dates:

Licensed Date:

Decreed Date: 02/15/2002

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:

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 3229.9

Combined Rate Limit: 8.83

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): MITCHELL D SORENSEN

Lease Status: Active

Lease Amount: 34.3

Rental Availability: 34.3

Date Received: 1/30/2014

Lease Begin Date: 1/1/2014

Expiration Date: 12/31/2018

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WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-7079

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELAINE R SORENSEN
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Original Owner	HILLCREEK PROPERTIES 4500 IMPERIAL AVE SAN DIEGO, CA 92113 6192620861
Original Owner	A ETSEL MOSS 3286 N 3350 W MOORE, ID 83255-8761 2085543041
Security Interest	IDAHO AGCREDIT PCA PO BOX 985 BLACKFOOT, ID 83221-0985 8006868910

Priority Date: 09/17/1979

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	2.76 CFS	
Total Diversion			2.76 CFS	

Location of Point(s) of Diversion:

GROUND WATER | NENWNW | Sec. 21 | Township 05N | Range 26E | BUTTE County
GROUND WATER | NWNWNW | Sec. 21 | Township 05N | Range 26E | BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
03N	25E	2		NESW	33		NWSW	33		SWSW	33		SESW	33
		3		SWSE	33		SESE	33						
		10		NENE	33		NWNE	33						

Total Acres: 264

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-02332 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.90 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 435 AF. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS. COMBINED RIGHT NOS.: 34-00170, 34-00556 AND 34-02332.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-02332 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 264 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00170, 34-00556 AND 34-02332.
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. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT NO. 34-02332 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 09/26/2001

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

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:

Generic Max Volume per Acre:

Combined Acres Limit: 264

Combined Volume Limit:

Combined Rate Limit: 6.9

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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WATER RIGHT REPORT

7/7/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-12416

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Security Interest	IDAHO AGCREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5129

Priority Date: 05/01/1982

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.85 CFS	
Total Diversion			3.85 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSENE|Sec. 05|Township 04N|Range 26E|BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	25E	2	3	NENW	39	4	NWNW	39		SWNW	40		SENW	40
		3	1	NENE	39	2	NWNE	39						
04N		34		NENE	39		NWNE	38		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		35		NENW	38		NWNW	38		SWNW	40		SENW	40
				NESW	20		NWSW	40		SWSW	39		SESW	20
	26E	5		SENE	39									
				NESE	39		SESE	39						

Total Acres: 945

Conditions of Approval:

1. F01 WATER IS DELIVERED THROUGH TIMBER DOME CANAL.
2. F05 RIGHT NO. 34-2428 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. E61 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.85 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3229.9 AF. COMBINED RIGHT NOS.: 34-2428, 34-07096A, 34-07097A, AND 34-07223.
4. E51 USE OF THIS RIGHT WITH RIGHT NO. 34-02428, IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.85 CFS.
5. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
6. E56 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 945 ACRES WITHIN THE PLACE OF DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00496A, 34-00692D, 34-02428, 34-07096A, 34-07097A AND 34-07223.
7. 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.
8. K02 THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 34-02428, PURSUANT TO SECTION 42-1426, IDAHO CODE.
9. K09 THIS RIGHT IS FOR AN ENLARGEMENT OF 365 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates:

Licensed Date:

84270

Decreed Date: 05/09/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

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:

Generic Max Volume per Acre:

Combined Acres Limit: 945

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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WATER RIGHT REPORT

7/17/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-13841

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELAINE R SORENSEN
Current Owner	MITCHELL D SORENSEN 3871 W 2500 N MOORE, ID 83255-8722 2085273271
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Original Owner	US DEPT OF AGRICULTURE FARMERS HOME ADMINISTRATION PO BOX 656 ARCO, ID 83213
Security Interest	IDAHO AGCREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5129

Priority Date: 12/17/1975

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.8 CFS	140 AFA
Total Diversion			0.8 CFS	140 AFA

Location of Point(s) of Diversion:

GROUND WATER|NWNWNW|Sec. 21|Township 05N|Range 26E|BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
04N	25E	35		NESW	20		SESW	20						

Total Acres: 40

Conditions of Approval:

1. Water delivered through the Timberdome Canal.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 06/22/2004

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

Generic Max Volume per Acre: 3.5

Civil Case Number:

84270

84270

**Attachment No. 2a
Water Right Ownership
Documentation**

FILE No. 5695LRT

INSTRUMENT No. _____

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED JERRY L. BROWNE and
TERESA L. BROWNE, Husband and Wife, the Grantor,
does hereby grant, bargain, sell and convey unto MITCHELL D. SORENSEN and
ELAINE R. SORENSEN, Husband and Wife, the Grantee,
whose current address is 2871 West 2500 North, Moore, ID 83255,
the following described real estate situated in BUTTE County,
State of Idaho, to-wit:

PARCEL 1:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho
Section 5: Lots 1 and 2; SW $\frac{1}{4}$ NE $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

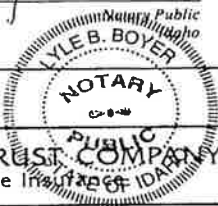
DATED: 8-7-06Jerry L. Browne
Jerry L. BrowneTeresa L. Browne
Teresa L. BrowneSTATE OF IDAHO, County of BUTTE

On this 7th day of August, 2006
before me, Lyle B. Boyer, a
Notary Public in and for the said State personally
appeared

Jerry L. Browne and Teresa L. Browne

Known to me to be the person(s) whose name(s) are
subscribed to the within instrument, and acknowl-
edges to me that they executed the same.

Lyle B. Boyer
Residing at Arco
Comm. Expires: 6-5-2009



THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 0043369RECORDEDAUG 07 2006

435
BUTTE COUNTY RECORDER
Rm. Hammett

IDAHO TITLE & TRUST COMPANY
Escrows • Title Insurance • IDAHO

P.O. Box 50367, Idaho Falls, ID 83405-0367 (208) 522-7895

84270

Filed:01/22/2019 13:21:20
Seventh Judicial District, Butte County
Shelly Shaffer, Clerk of the Court
By: Deputy Clerk -Frederici, Tammy

Peter D. Christofferson, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
1000 Riverwalk Drive, Suite 200
P. O. Box 50130
Idaho Falls, Idaho 83405-0130
Telephone: (208) 523-0620
Telefax: (208) 523-9518
Idaho State Bar Number 8329

RECEIVED
AUG 06 2020
Department of Water Resources
Eastern Region

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BUTTE

MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE

OF

MITCHELL D. SORENSEN,
a/k/a MITCHELL DEE SORENSEN,

Deceased.

Case No. CV12-19-0005

LETTERS TESTAMENTARY

1. Elaine R. Sorensen was duly appointed and qualified as personal representative of the estate of the above named decedent as of the date below, by the Magistrate acting as Registrar with all authority pertaining thereto.
2. Administration of the estate is unsupervised.
3. These letters are issued to evidence the appointment, qualification, and authority of said personal representative.

WITNESS, my signature and the seal of this court, dated January 18, 2019.



Magistrate

Ralph Sanger

Attachment No. 4
Power of Attorney

[Search again](#)

Results (as of 5/4/18)

Luke Hyrum Marchant

Status

Active

ISB Membership Number

7944

Admittance Date

09/30/2008

Firm

Holden, Kidwell, Hahn & Crapo, PLLC

Mailing Address

PO Box 50130 Idaho Falls, ID 83405

Phone

(208) 523-0620

Phone Ext**Fax**

(208) 523-9518

Email Address

lmarchant@holdenlegal.com

Website Address

www.holdenlegal.com

Need a correction?

Is something not correct? Please use the [Address Change Form](#)

The information above is based on the Idaho State Bar records as of the date listed above. To send us an update on your

Attachment No. 5
ESPA Analysis and Mitigation
Plan

ATTACHMENT 5.1.a
Water Modeling – Data Entry
All Water to North Wells

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

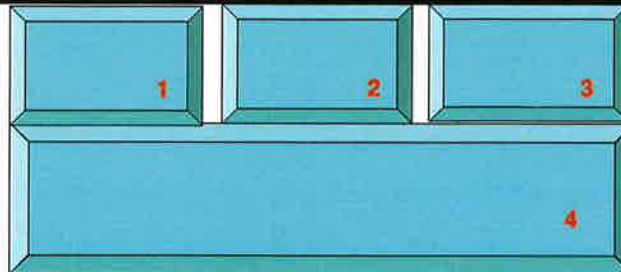
Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

YEAR 1973
SEASON SPRING

TRANSFER NO:

TRANSFER NAME:
SORENSEN



ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
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COLUMN	112	112		

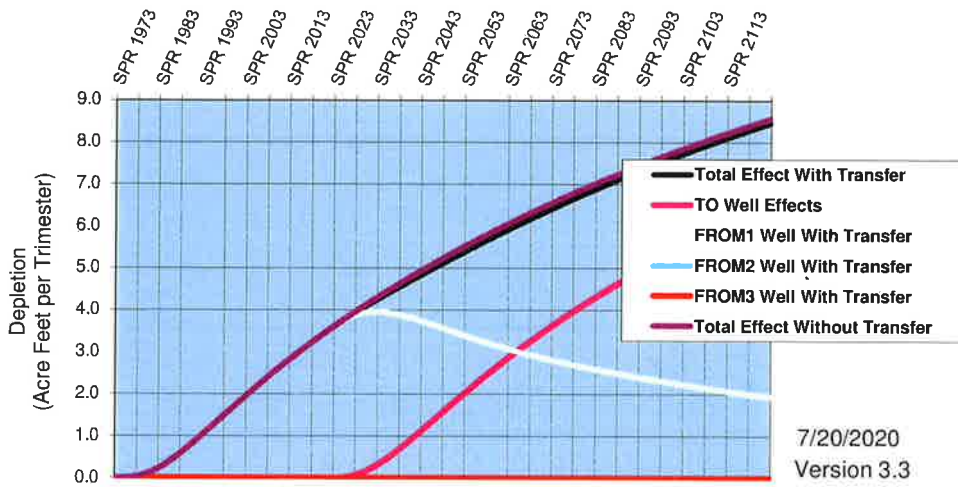
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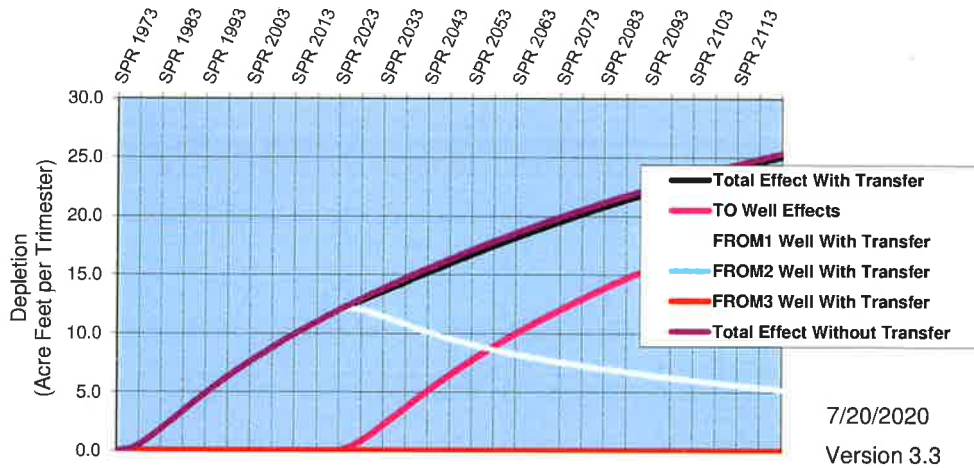
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WIN 2032	732	0	732	0	0	0	0
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ATTACHMENT 5.2.a
Water Modeling – Graphs
above Milner
All Water to North Wells

Hydrologic Response--Ashton to Rexburg
Customer Name: SORENSEN Transfer No:

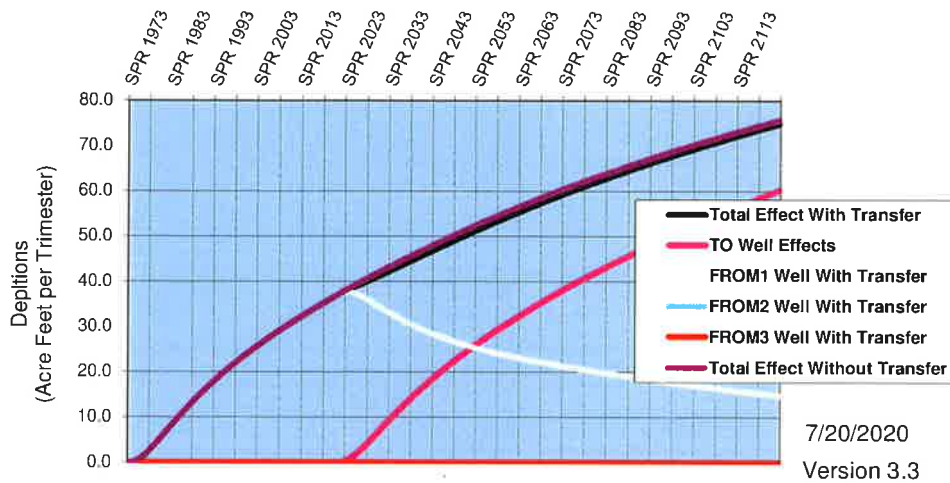


Hydrologic Response--Heise to Shelley
Customer Name: SORENSEN Transfer No:



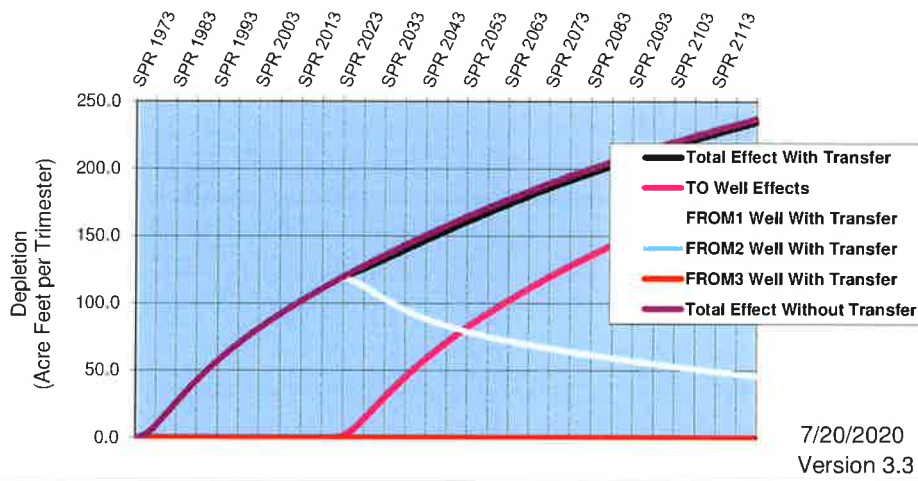
Hydrologic Response--Shelley to Near Blackfoot

Customer Name: **SORENSEN** Transfer No:

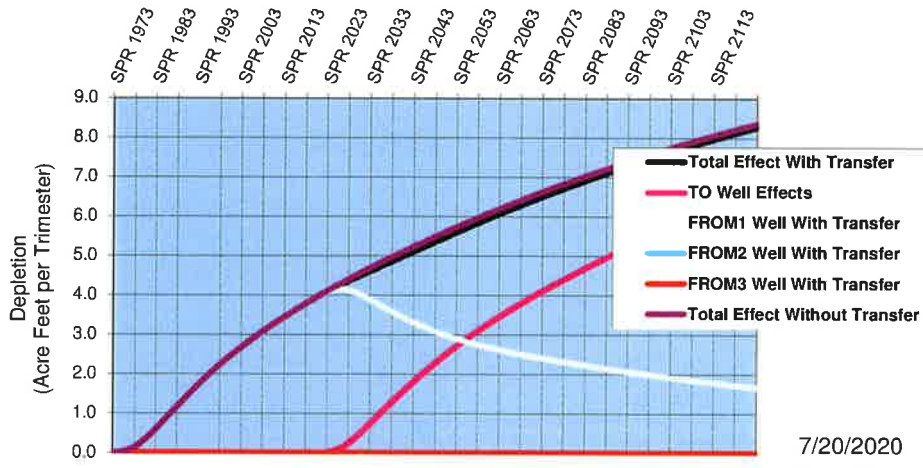


Hydrologic Response-- Near Blackfoot to Neeley

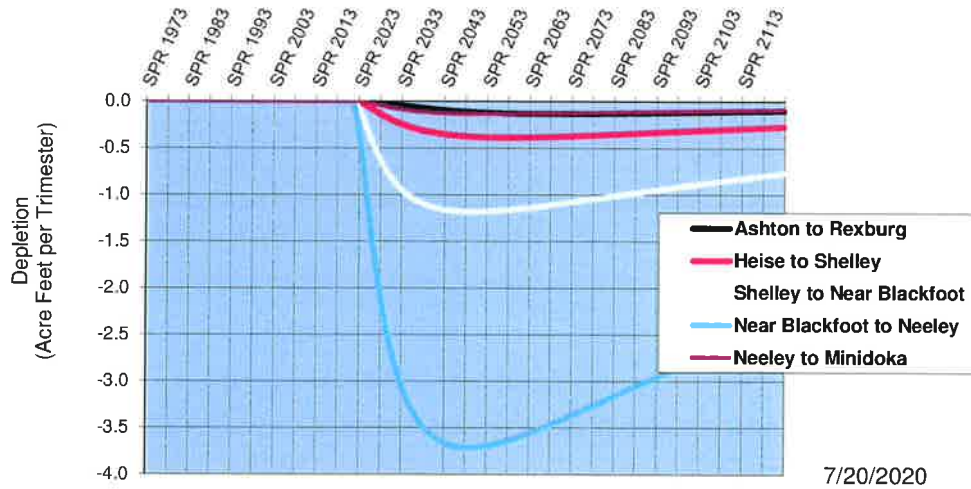
Customer Name: **SORENSEN** Transfer No:



Hydrologic Response-- Neeley to Minidoka Customer Name: SORENSEN Transfer No:



Net Transfer Effect Above Milner (Total Effect With Transfer - Total Effect Without Transfer)

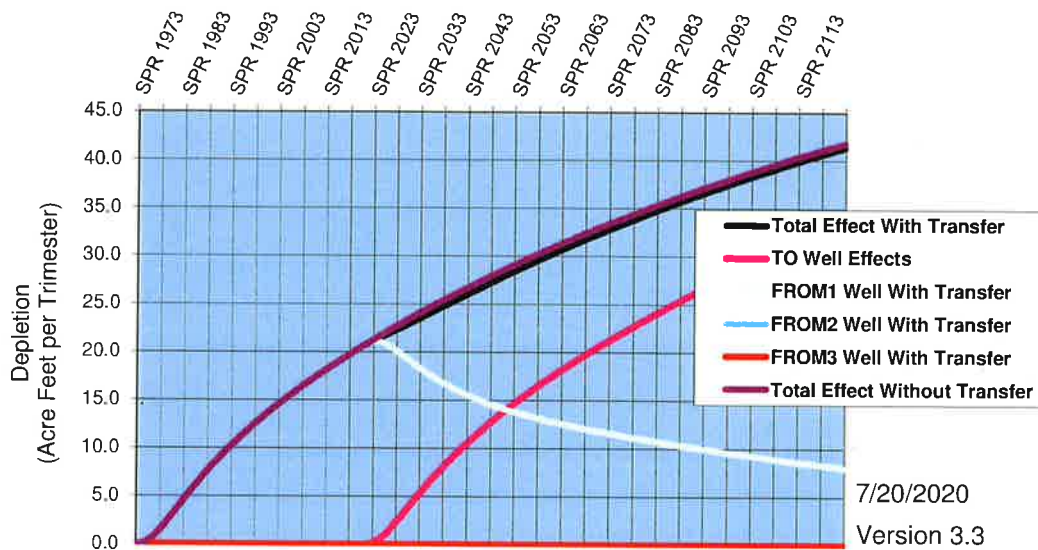


Customer Name: SORENSEN

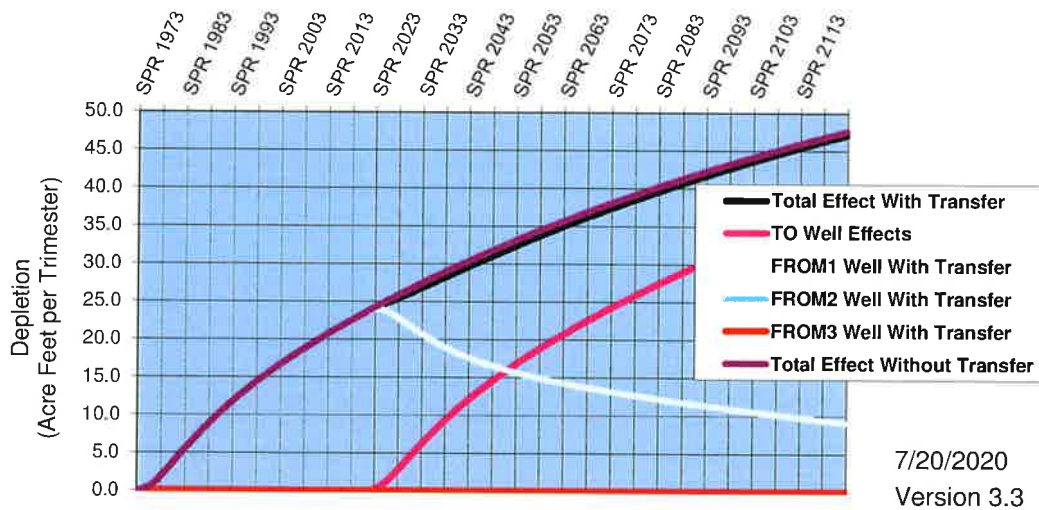
Transfer No:

ATTACHMENT 5.3.a
Water Modeling – Graphs
below Milner
All Water to North Wells

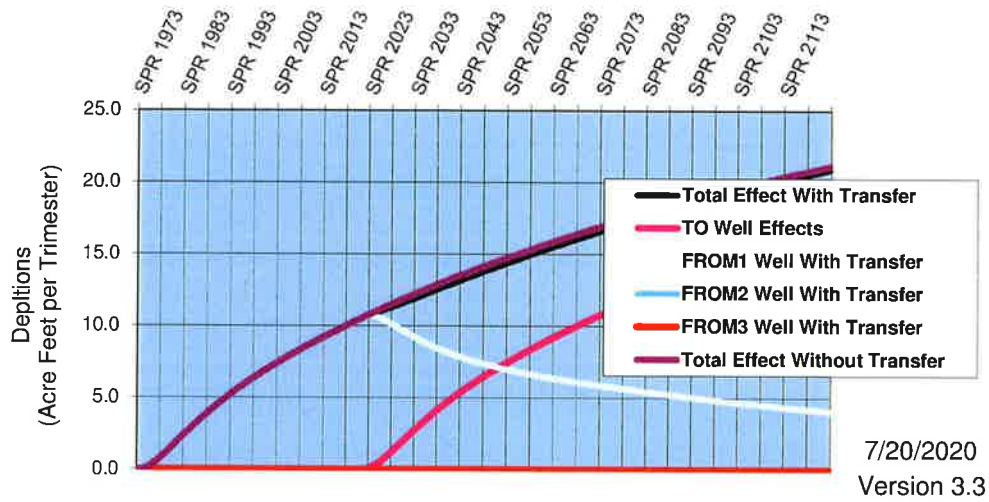
Hydrologic Response--Devil's Washbowl to Buhl
Customer Name: SORENSEN Transfer No:



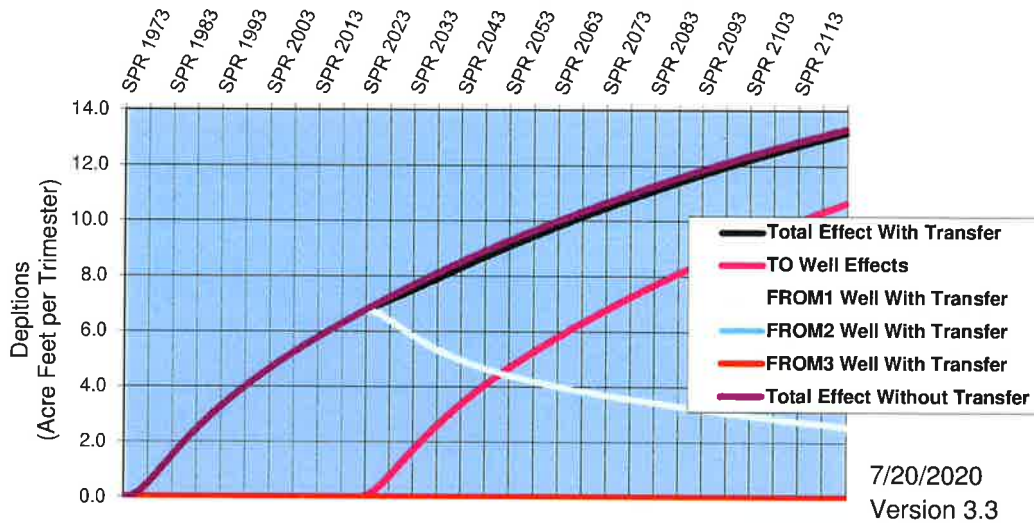
Hydrologic Response--Buhl to Thousand Springs
Customer Name: SORENSEN Transfer No:



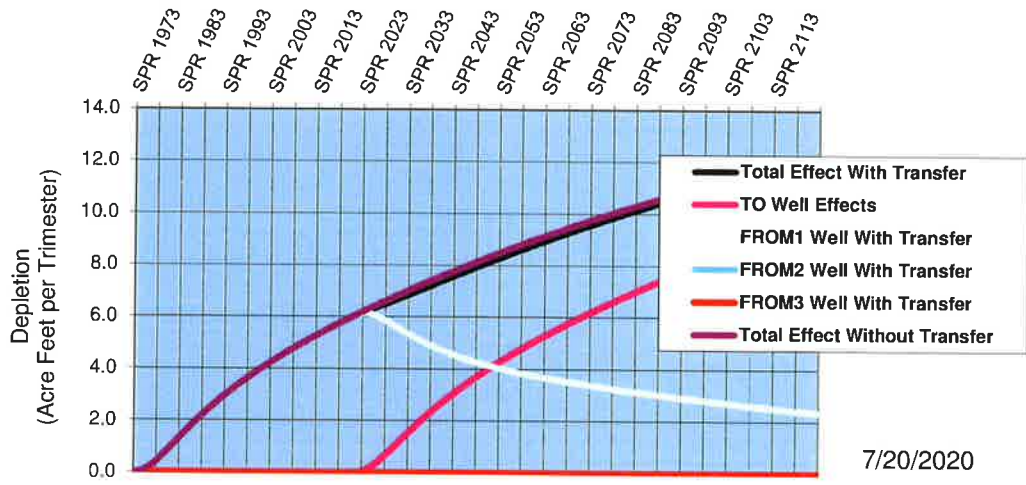
Hydrologic Response--Thousand Springs
Customer Name: SORENSE **Transfer No:**



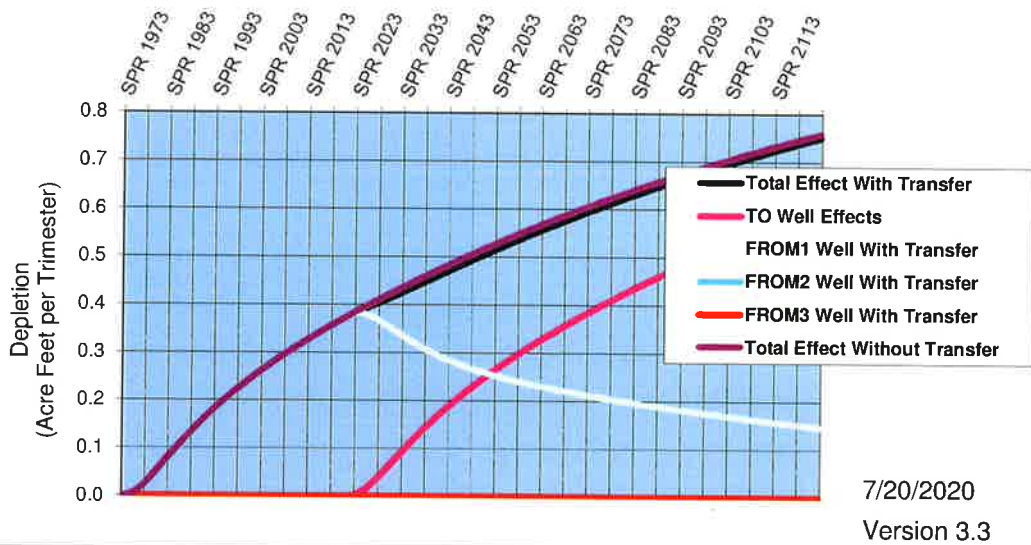
Hydrologic Response--Thousand Springs to Malad
Customer Name: SORENSE **Transfer No:**



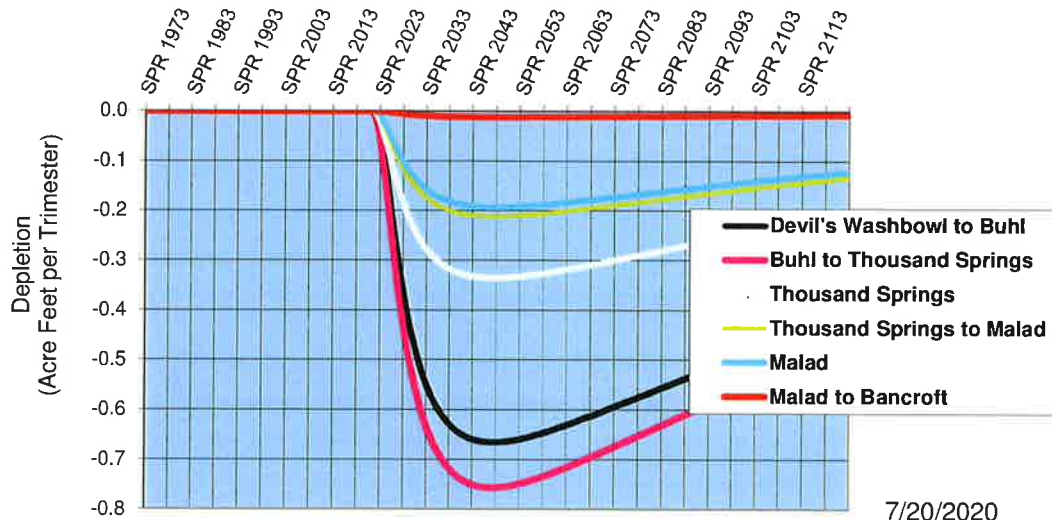
Hydrologic Response-- Malad
Customer Name: SORENSE Transfer No:



Hydrologic Response-- Malad to Bancroft
Customer Name: SORENSE Transfer No:



Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)



7/20/2020
Version 3.3

Customer Name: **SORENSEN**

Transfer No:

ATTACHMENT 5.4.a
Water Modeling – Mitigation
Analysis
All Water to North Wells

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer: Proposed Steady State Impacts following Transfer							
Transfer 1: Worst Case Transient State Impacts following Transfer							

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
8.6	25.3	75.6	236.9	8.4	41.8	47.6	21.1	13.3	12.2	0.8
8.5	25.0	74.9	234.5	8.3	41.4	47.1	20.9	13.2	12.1	0.8
8.6	25.3	75.6	236.9	8.4	41.8	47.6	21.1	13.3	12.2	0.8
8.5	25.0	74.9	234.5	8.3	41.4	47.1	20.9	13.2	12.1	0.8

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	-1.2%	-1.1%	-1.0%	-1.0%	-1.0%	-1.0%	-1.0%	-1.0%	-1.0%	-1.0%
	Mitigation Check 2: > 2 AF/T:	-0.1	-0.3	-0.8	-2.4	-0.1	-0.4	-0.5	-0.2	-0.1	0.0
	Mitigation Check 3 - >10% of Total:	1.7%	5.1%	15.4%	48.2%	1.7%	8.5%	9.7%	4.3%	2.7%	0.2%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	-0.1	-0.3	-0.8	-2.4	-0.1	-0.4	-0.5	-0.2	-0.1	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	-1.2%	-1.1%	-1.0%	-1.0%	-1.0%	-1.0%	-1.0%	-1.0%	-1.0%	-1.0%
	Mitigation Check 2: > 2.01 AF/T:	-0.1	-0.3	-0.8	-2.4	-0.1	-0.4	-0.5	-0.2	-0.1	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	-0.1	-0.3	-0.8	-2.4	-0.1	-0.4	-0.5	-0.2	-0.1	0.0

84270

ATTACHMENT 5.1.b
Water Modeling – Data Entry
All Water to South Wells

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

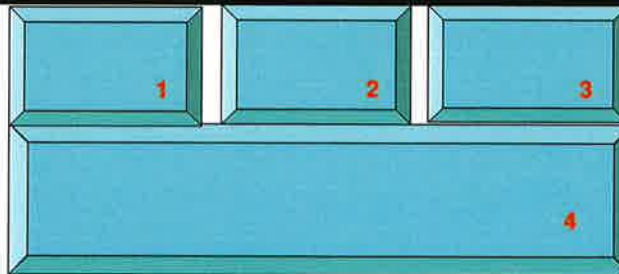
ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

YEAR: 1973

SEASON: SPRING

TRANSFER NO:

TRANSFER NAME: SORENSEN



ENTER CELL LOCATIONS:				
	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	26	25		
COLUMN	110	112		

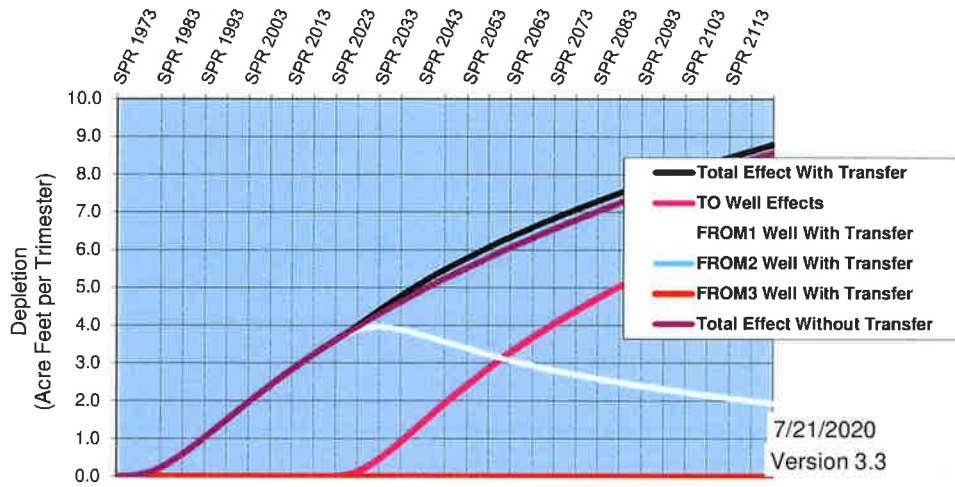
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	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
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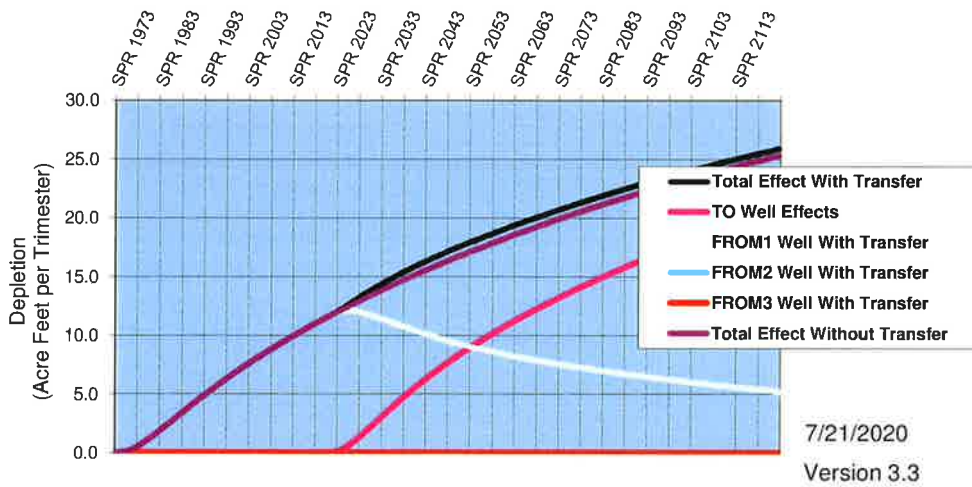
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WIN 2032	732	0	732	0	0	0	0
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ATTACHMENT 5.2.b
Water Modeling – Graphs
above Milner
All Water to South Wells

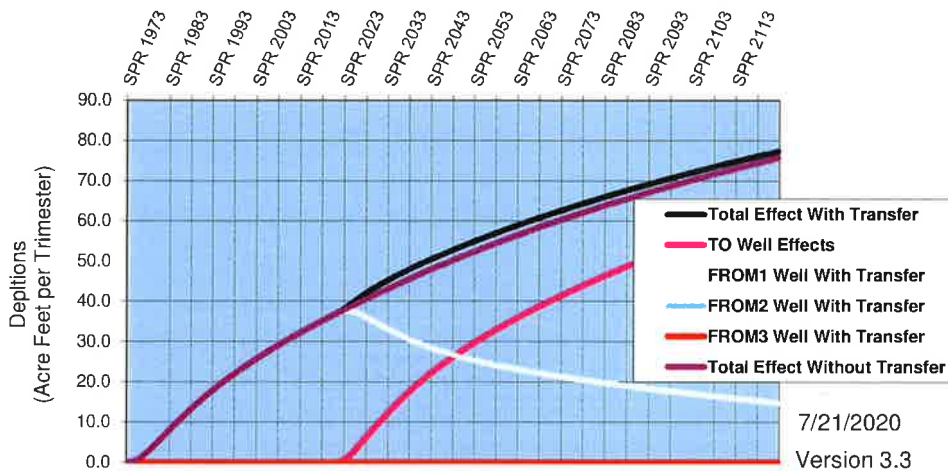
Hydrologic Response--Ashton to Rexburg
Customer Name: SORENSEN **Transfer No:**



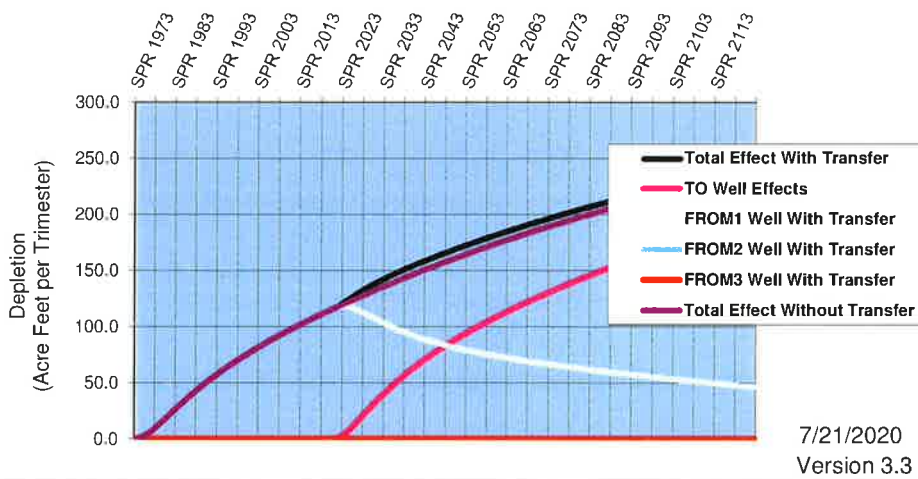
Hydrologic Response--Heise to Shelley
Customer Name: SORENSEN **Transfer No:**



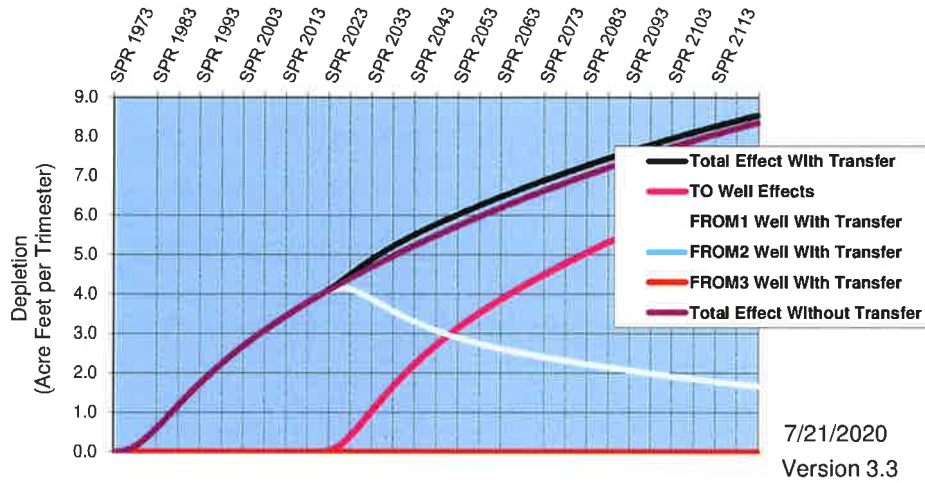
Hydrologic Response--Shelley to Near Blackfoot
Customer Name: SORENSEN **Transfer No:**



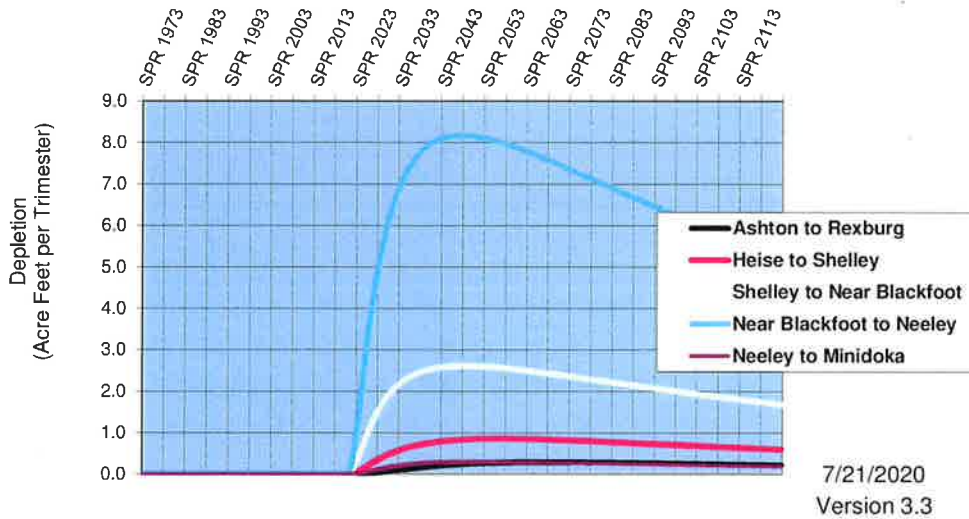
Hydrologic Response-- Near Blackfoot to Neeley
Customer Name: SORENSEN **Transfer No:**



Hydrologic Response-- Neeley to Minidoka
Customer Name: SORENSEN Transfer No:



Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)

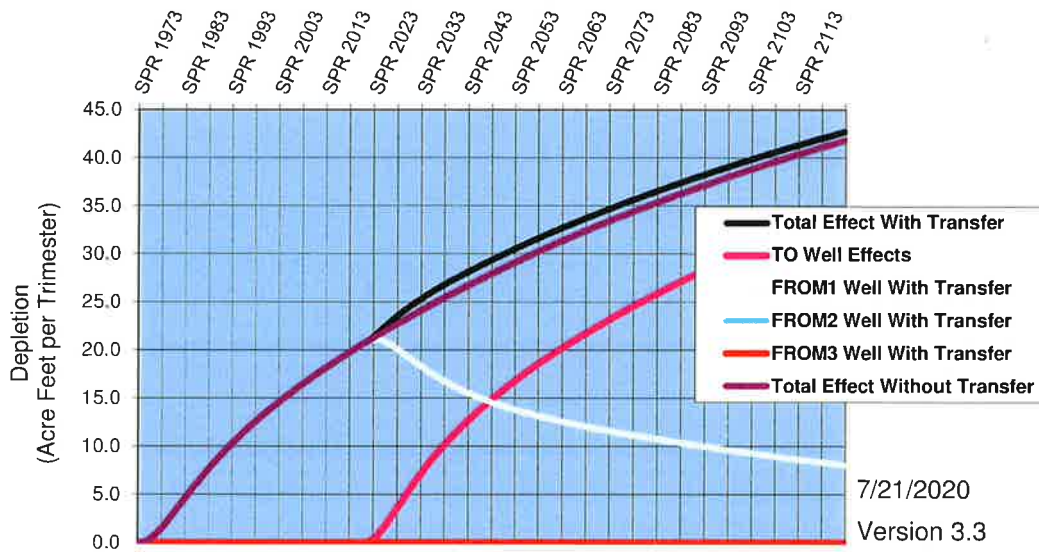


Customer Name: SORENSEN

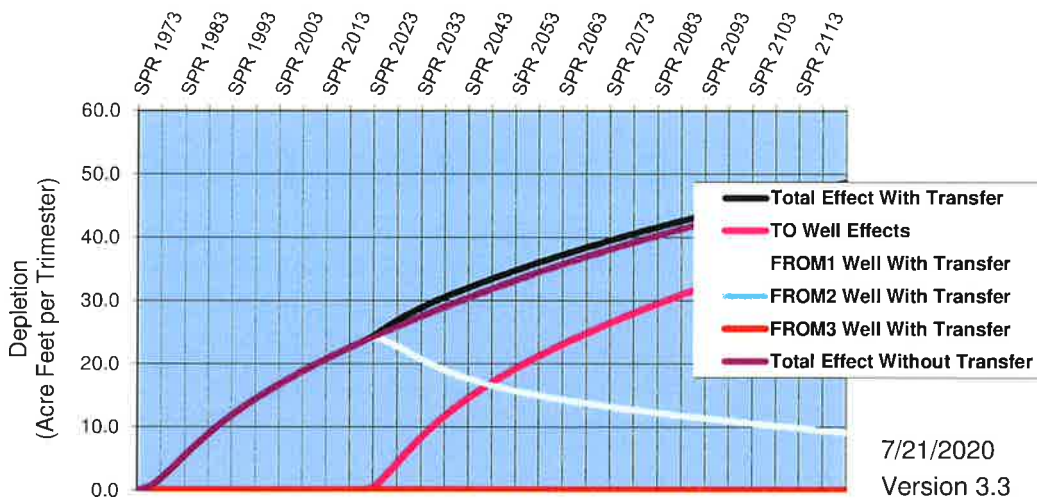
Transfer No:

ATTACHMENT 5.3.b
Water Modeling – Graphs
below Milner
All Water to South Wells

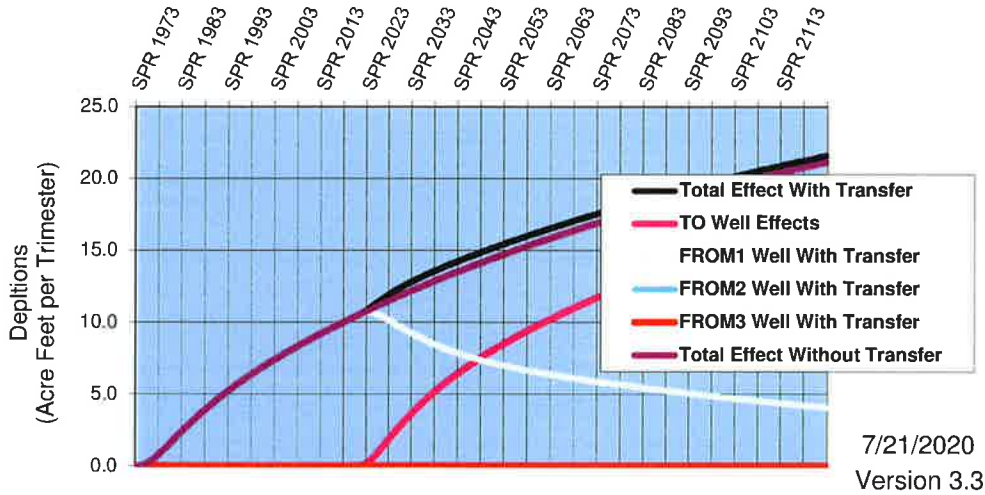
Hydrologic Response--Devil's Washbowl to Buhl
Customer Name: SORENSEN Transfer No:



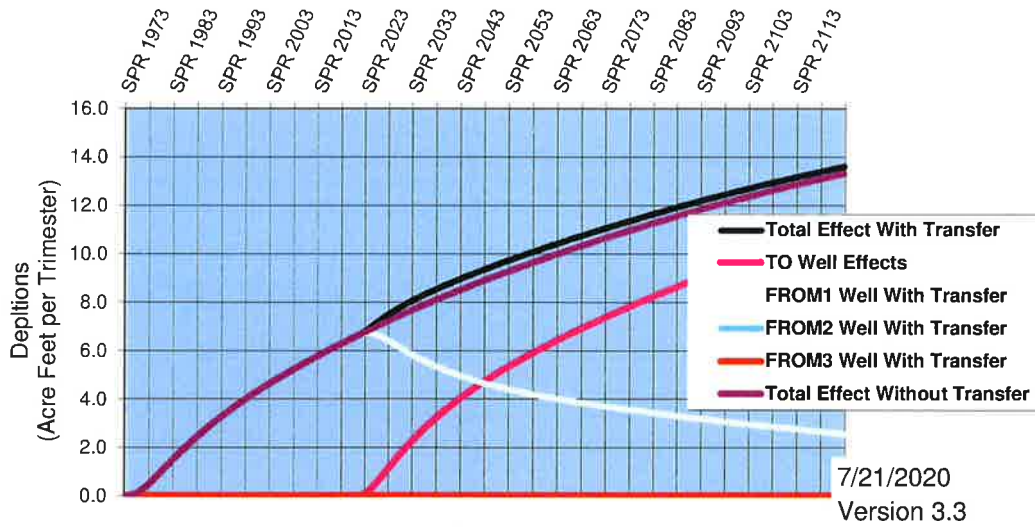
Hydrologic Response--Buhl to Thousand Springs
Customer Name: SORENSEN Transfer No:



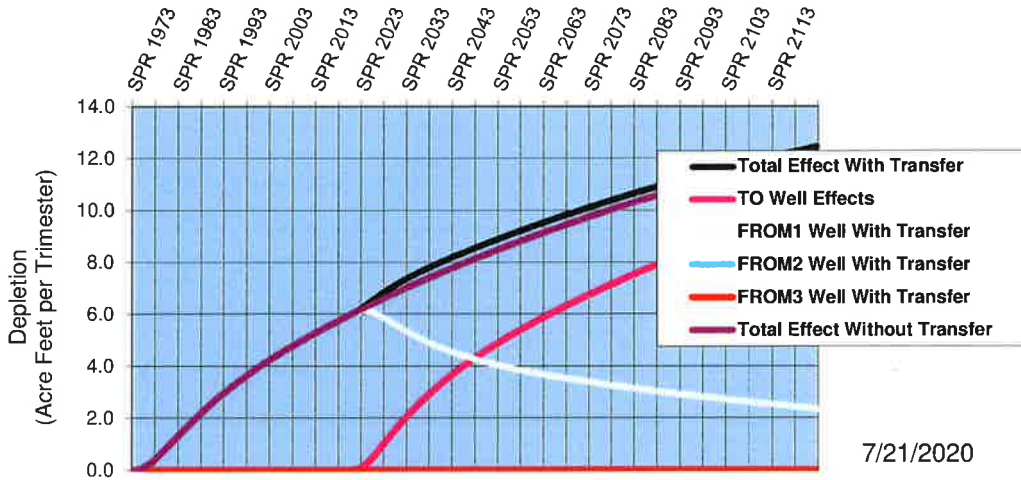
Hydrologic Response--Thousand Springs
Customer Name: SORENSE **Transfer No:**



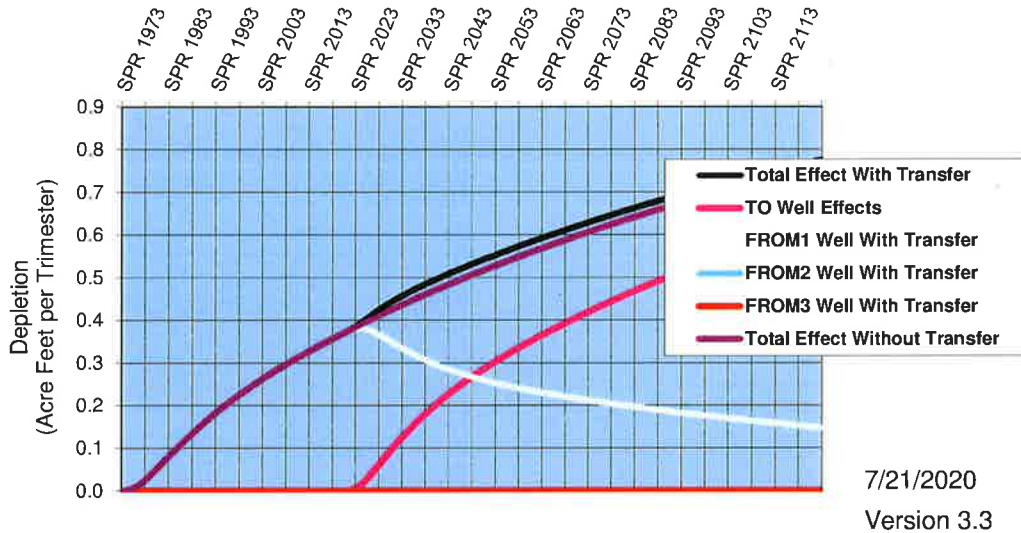
Hydrologic Response--Thousand Springs to Malad
Customer Name: SORENSE **Transfer No:**



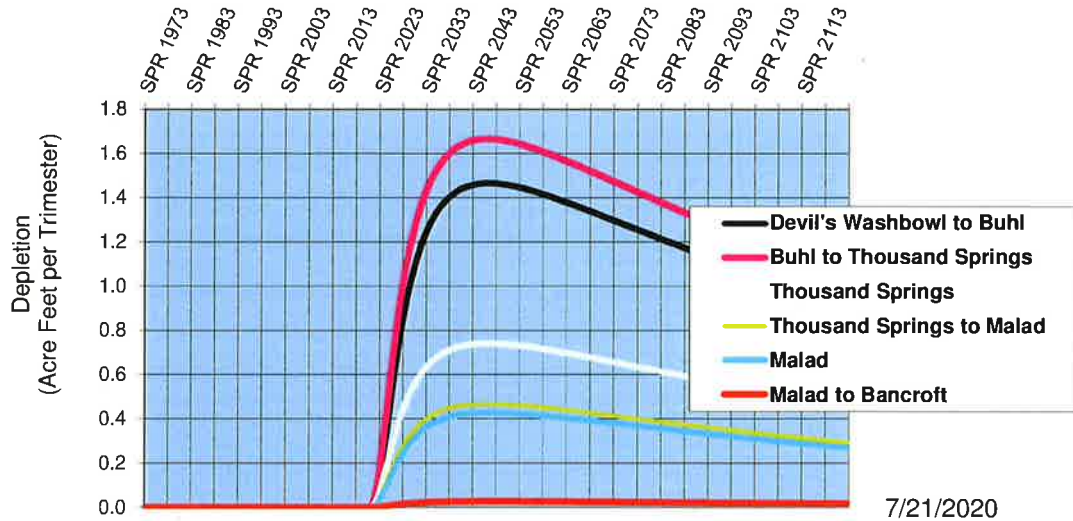
Hydrologic Response-- Malad
Customer Name: SORENSE Transfer No:



Hydrologic Response-- Malad to Bancroft
Customer Name: SORENSE Transfer No:



Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)



7/21/2020
Version 3.3

Customer Name: **SORENSEN**

Transfer No:

ATTACHMENT 5.4.b
Water Modeling – Mitigation
Analysis
All Water to South Wells

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer: Proposed Steady State Impacts following Transfer							
Transfer 1: Worst Case Transient State Impacts following Transfer							

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
8.6	25.3	75.6	236.9	8.4	41.8	47.6	21.1	13.3	12.2	0.8
8.8	25.9	77.3	242.2	8.5	42.7	48.6	21.6	13.6	12.4	0.8
8.6	25.3	75.6	236.9	8.4	41.8	47.6	21.1	13.3	12.2	0.8
8.8	25.9	77.3	242.2	8.5	42.7	48.6	21.6	13.6	12.4	0.8

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	2.5%	2.3%	2.2%	2.2%	2.3%	2.2%	2.2%	2.2%	2.2%	2.2%
	Mitigation Check 2: > 2 AF/T:	0.2	0.6	1.7	5.2	0.2	0.9	1.0	0.5	0.3	0.0
	Mitigation Check 3 - >10% of Total:	1.7%	5.2%	15.4%	48.2%	1.7%	8.5%	9.7%	4.3%	2.7%	2.5%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.2	0.6	1.7	5.2	0.2	0.9	1.0	0.5	0.3	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	2.5%	2.3%	2.2%	2.2%	2.3%	2.2%	2.2%	2.2%	2.2%	2.2%
	Mitigation Check 2: > 2.01 AF/T:	0.2	0.6	1.7	5.2	0.2	0.9	1.0	0.5	0.3	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.2	0.6	1.7	5.2	0.2	0.9	1.0	0.5	0.3	0.0

84270

Attachment No. 6
Lien Holder Authorization

July 17, 2020

To: Idaho Department of Water Resources
From: Idaho AgCredit, FLCA
Subject: Transfer of Water Rights in the name of Elaine Sorensen

Idaho AgCredit, FLCA is the holder of a real estate mortgage on property owned by Elaine Sorensen in Butte County, Idaho. The mortgage is evidenced by Instrument No. 0051117 recorded in the records of Butte County, Idaho which is attached hereto as Exhibit A. I understand that Elaine Sorensen plans to file a water right transfer application to change the point of diversions and place of use of Water Right Nos. 34-7110 and 34-7052 to a new place of use located as shown on the map attached hereto as Exhibit B. I also understand that the application will combine those two water rights with Water Right Nos. 34-170, 34-496A, 34-556, 34-692D, 34,10319, 34-2332, 34-2424B, 34-2428, 34-7035B, 34-7079, 34-12416, and 34-13841 to create a 2,598-acre permissible place of use within which 1,837 acres will be authorized for irrigation, also depicted on the map attached hereto as Exhibit B. Idaho AgCredit, FLCA has no objection to Elaine Sorensen's application for water right transfer, and I have the authority on behalf of Idaho AgCredit, FLCA to consent to the transfer.

Kirk J. Powell
Printed Name: Kirk J. Powell
Position: Asst. Vice President

STATE OF IDAHO)
COUNTY OF Butte) ss.

On this 17th day of July, 2020, before me, a Notary Public for said County and State, personally appeared Kirk J. Powell, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Helen Hansen
NOTARY PUBLIC FOR IDAHO
Residing at: Arco ID
My commission expires: 3-4-21

EXHIBIT A

RECEIVED

OCT 24 2013

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**Notice of Security Interest in a Water Right****And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right**Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 34-7110 OK 34-7052 OK
Adjudication Claim No(s).: _____
2. The following **REQUIRED** information must be submitted with this form:
- A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- B) A **FEE** of **\$25.00 per water right** or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest
Idaho AgCredit, ELCA
PO Box 386
Rexburg ID 83440
4. Name of Water Right Owner/Claimant(s) Mitchell D. Sorensen and Elaine R. Sorensen
5. Expiration Date of Notification Period October 1, 2033
6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO
7. Signature(s) of Security Interest holder(s) Kirk Powell
(and title if applicable) Branch Manager

For Office Use Only

Received by	<u>JB</u>	Date	<u>10/24/13</u>	Fee	<u>\$50. -</u>
Receipted by	<u>JB</u>	Date	<u>10/24/13</u>	Receipt No.	<u>E039238</u>
Processed by	<u>AJ</u>	Date	<u>11/4/2013</u>	WR	<u>JB</u>

SUPPORT DATA

IN FILE # 34-7052

84270

Rec. Requested by:

WHEN RECORDED MAIL TO:

Loan No.: 231-004-0000496039-3341441-101

NC 0051117
RECORDED

OCT 15 2013

Order No.: 5938LRT

REAL ESTATE MORTGAGE

THIS MORTGAGE is made this October 8, 2013 between MITCHELL D. SORESENSEN, aka MITCHELL SORESENSEN, aka MITCHELL DEE SORESENSEN, and ELAINE R. SORESENSEN, aka ELAINE SORESENSEN, aka ELAINE REESE SORESENSEN, husband and wife, whose address is 3871 W 2500 N Moore, Idaho 83255 hereinafter called "Mortgagor", and Idaho AgCredit, FLCA ("Mortgagee"), a wholly owned subsidiary of Idaho Agricultural Credit Association, a corporation, existing and operating under the Farm Credit Act of 1971, as amended, having its principal place of business at 188 W. Judicial P.O. Box 985, Blackfoot, Idaho 83221.

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

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

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

WATER RIGHTS:

Sorensen Farms

Decree 34-2428 for 3.85 CFS, priority of April 1, 1979 for 945 acres from a well.
Decree 34-12416 for 3.85 CFS, priority of May 1, 1982 for 945 acres from a well.
Decree 34-2424B for 2.27 CFS, priority of June 13, 1961 for 106 acres from wells.
Decree 34-10319 for 3.0 CFS, priority of March 23, 1900 for 116 acres from the Big Lost River.
Decree 34-496A for 1.20 CFS, priority of June 1, 1896 for 828 acres from the Big Lost River.
Decree 34-7035B for 4.98 CFS, priority of April 12, 1973 for 828 acres from a well.
Decree 34-692D for 1.2 CFS, priority of July 15, 1884 for 828 acres from the Big Lost River.
Decree 34-12416 for 3.85 CFS, priority of May 1, 1982 for 945 acres from a well.
Decree 34-170 for 1.2 CFS, priority of May 1, 1886 for 264 acres from the Big Lost River.
Decree 34-556 for 2.8 CFS, priority of May 1, 1886 for 264 acres from the Big Lost River.
Decree 34-7215A for .14 CFS, priority of April 14, 1978 for 26.5 acres from a well.
Permit 34-7247 for 4.49 CFS, priority of May 30, 1980 for 200 acres from wells.
Permit 34-7430 for 199.6 CFS, priority of April 8, 1983 for 4990 acres from Antelope Creek and Big Lost River.
Decree 34-2332 for 2.9 CFS, priority of May 1, 1955 for 264 acres from wells.
Decree 34-7079 for 2.76 CFS, priority of September 1, 1979 for 264 acres from wells.
7,826" of storage water in the Mackay Reservoir.
490 shares of stock, Certificate #50 or as may be re-issued in the Timberdome Canal Company.
310 shares of stock, Certificate #62 or as may be re-issued in the Timberdome Canal Company.
Decree 34-10934 for .02 CFS, priority of May 15, 1941 for stock water in a Spring.
Decree 34-2550 for .01 CFS, priority of January 8, 1946 for stock water.

Smith Farm

Decree 34-2248 for .5 CFS, priority of August 6, 1924 for 97.0 acres from the Big Lost River.
Decree 34-14022 for .1 CFS, priority of June 1, 1895 for 5.1 acres from the Big Lost River.
Decree 34-14024 for .15 CFS, priority of June 1, 1894 for 7.28 acres from the Big Lost River.
Decree 34-14026 for .22 CFS, priority of February 1, 1893 for 10.93 acres from the Big Lost River.
Decree 34-14028 for 2.4 CFS, priority of June 1, 1896 from the Big Lost River.
Decree 34-14030 for 2.74 CFS, priority of October 29, 1953 from a well.

Perkes Farm

Decree 34-7052 for 6 CFS, priority of November 13, 1973 for 472 acres from a well.
Decree 34-7110 for 8.07 CFS, priority of May 15, 1975 for 472 acres from a well.

All Mortgagor's right, title, and interest in and to the following grazing rights:
BLM Big Butte Allotment #01019 for 138 AUMs

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

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

MORTGAGOR ABSOLUTELY AND UNCONDITIONALLY ASSIGNS, transfers, conveys and sets over to Mortgagee all the rents, royalties, issues, profits, revenue, income and other benefits of the property arising from the use or enjoyment of all or any portion thereof or from any lease, mineral lease, or agreement pertaining thereto (collectively the "Rents"); SUBJECT, HOWEVER, to the right, power and authority given to and conferred upon Mortgagor by Paragraph B.3 hereof.

FOR THE PURPOSE OF SECURING: (1) payment of the indebtedness or obligations evidenced by the following promissory note(s) and/or guaranties executed by Mortgagor and/or others to the Mortgagee at the times, in the manner and with interest as therein set forth (notes may contain variable or adjustable rate provisions):

DATE OF NOTE
October 8, 2013

MATURITY DATE
October 1, 2033

AMOUNT OF NOTE
\$669,500.00

(2) the payment of such additional loans or advances, including advances under a revolving line of credit, with interest thereon, as hereafter may be made to Mortgagor, or Mortgagor's successors or assigns, and/or to parties whose obligation Mortgagor is guaranteeing, evidenced by a promissory note or otherwise and any obligations evidenced by any guaranties executed by Mortgagor in favor of Mortgagee; PROVIDED HOWEVER, THAT, such additional loans, advances, guaranty obligations shall be secured by this Mortgage only if the promissory note, guaranty, or other document evidencing such loans or advances shall recite that it is to be secured by this Mortgage; (3) the payment of any substitute notes, renewals, reamortizations, and extensions of all indebtedness secured by this Mortgage; (4) the performance of every obligation and agreement of Mortgagor whether contained or incorporated by reference in this Mortgage, or contained in any loan document or guaranty executed by Mortgagor in favor of Mortgagee, with respect to any loan, advance, or guaranty secured by this Mortgage; and (5) the payment of all sums expended or advanced by Mortgagee under or pursuant to the terms of this Mortgage, together with interest thereon as herein provided. The continuing validity and priority of this Mortgage as security for future loans, advances or guaranties shall not be impaired by the fact that at certain times hereafter there may exist no outstanding indebtedness from Mortgagor to Mortgagee or no commitment to make loans or advances.

A. TO PROTECT THE SECURITY OF THIS MORTGAGE, MORTGAGOR AGREES:

1. To use loan proceeds solely for the purposes set forth in the loan application(s) or agreements; to comply with the Farm Credit Act of 1971, as amended, and/or the regulations of the Farm Credit Administration, now existing or as hereafter amended.
2. To keep the Property in good condition, working order and repair; care for the Property in accordance with standards of good husbandry and to keep all trees, vines and crops on said land properly cultivated, irrigated, fertilized, sprayed, and fumigated; not to remove, destroy or suffer the removal or destruction of any building, fence, canal, well or other improvements or fixtures thereon; not to remove, replace or alter any horticultural or viticultural tree, vine or shrub planted thereon without the prior written consent of Mortgagee, except in the ordinary course of business; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon; to comply with all laws, covenants and restrictions affecting the Property; not to commit or permit waste thereof; not to commit, suffer or permit any act upon the Property in violation of law; to do all other acts which from the character or use of the Property may be reasonably necessary, the specific enumerations herein not excluding the general; to observe and perform all obligations of Mortgagor under any lease of the Property.
3. To provide, maintain and deliver to Mortgagee fire and all other types of insurance of the type and in amounts as Mortgagee may require, with loss payable clauses solely in favor of Mortgagee. In the event of loss, the insurance proceeds, or any part thereof, may be applied by Mortgagee, at its option, to the reduction of the indebtedness hereby secured or to the restoration or repair of the property damaged. In the event that the Mortgagor shall fail to provide satisfactory hazard insurance, Mortgagee may procure, on Mortgagor's behalf, insurance in favor of Mortgagee alone. If insurance cannot be secured by Mortgagor to provide the required coverage, such inability shall constitute an event of default hereunder.
4. To appear in and litigate any action or proceeding purporting to affect the security hereof, the title to the Property, or the rights or powers of Mortgagee; Mortgagee may appear in and litigate any such action or proceedings, including any bankruptcy, partition or condemnation proceeding, affecting the Property, or Mortgagee's interest therein, in which event Mortgagor agrees to pay all costs and expenses thereof, including attorney's fees and costs of securing evidence of title.
5. To pay on or before the due date all taxes and assessments affecting the Property, including all assessments upon water company stock and all rents, assessments and charges for water, appurtenant to or used in connection with the Property; to pay, when due, all encumbrances, charges, and liens, on the Property or any part thereof, which at any time appear to be prior or superior hereto.
6. In case of any suit to foreclose this Mortgage or to collect any charge arising out of the debt hereby secured, or of any suit which the Mortgagee may deem necessary to prosecute or defend to effect or protect the lien herein, including any proceeding in bankruptcy, or if Mortgagee retains an attorney to advise Mortgagee in connection with this Mortgage or any other agreement related to the indebtedness secured by this Mortgage, Mortgagor agrees to pay a reasonable sum as attorney's fees and all costs and legal expenses in connection with said suit, and further agrees to pay the reasonable costs of searching the records and abstracting or insuring the title, and such sums, costs and expenses shall be secured hereby and shall be included in any decree of foreclosure. The fees and costs described herein and elsewhere in this Mortgage shall be in addition to those set forth in the loan agreement or any other written agreement between Mortgagor and Mortgagee.
7. Should Mortgagor fail to make any payment or to do any act as provided for in this Mortgage, then Mortgagee, but without obligation to do so and without notice to or demand upon Mortgagor and without releasing Mortgagor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the Property, Mortgagee being authorized to enter upon the Property for such purposes; commence, appear in and litigate any action or proceeding purporting to affect the security hereof or the rights or powers of Mortgagee, including any bankruptcy proceeding affecting the Property; pay, purchase, contest, or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and in exercising any such powers, incur any liability, expend whatever amounts in its absolute discretion it may deem necessary therefore, including attorney's, accountant's, appraisal, and environmental fees, and costs of securing evidence of title, and all amounts so expended shall be obligations of Mortgagor secured by this Mortgage. Nothing contained herein shall prohibit Mortgagee from entering the Property, at a reasonable time and upon reasonable notice to Mortgagor, without incurring or assuming any obligations or liabilities whatsoever, for the sole purpose of inspecting the Property.
8. To pay immediately and without demand all sums expended by Mortgagee pursuant to the provisions hereof, with interest from date of expenditure at the same rate as is provided for in the note or notes secured by this Mortgage. In the event that such sums are not immediately paid, they shall be added, along with the appropriate amount of capital stock or participation certificates, to the principal balance of the indebtedness secured hereby and shall accrue interest as herein set forth. All such sums shall be secured hereby.
9. Environmental Representations, Warranties and Covenants.
 - (a) Except as disclosed in writing to Mortgagee, or except as otherwise provided in any loan agreement between Mortgagee and Mortgagor which specifically refers to the Property, to the best knowledge of Mortgagor after due inquiry, Mortgagor hereby further represents, warrants and covenants as follows:
 - (i) No pollutants, contaminants (including oil or other petroleum products), toxic or hazardous substances, or solid or hazardous wastes, as such terms are defined under any federal, state or local Environmental Law, regulation or ordinance (hereinafter "Contaminants") have been, are being or will be generated, manufactured, produced, stored, disposed of, discharged, released, threatened to be released, or otherwise allowed to migrate or escape on, under or from the Property in such quantities or concentrations as would violate any federal, state or local Environmental Law, regulation or ordinance or as would require Mortgagor to report such condition to any governmental authority or to undertake removal or remedial action to clean up such contaminants;

(ii) No Contaminants are located on, in or under any property located adjacent to the Property in such quantities or concentrations as would constitute a violation of any Environmental Law or as would require the owner of the adjacent property to report such condition to any governmental authority or to undertake removal or remedial action to clean up such Contaminants;

(iii) Neither the Property, nor any portion thereof, nor any adjacent property or portion thereof, has been or is proposed to be listed under the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Section 9601, et seq.), or any analogous state law. Mortgagor shall immediately notify Mortgagee if Mortgagor acquires any information concerning the listing or proposed listing of the Property or any adjacent property and shall provide Mortgagee with any documents in Mortgagor's possession relative thereto;

(iv) No hazardous wastes, as defined under the Federal Resource Conservation and Recovery Act (42 U.S.C. Section 6901, et seq.), or any analogous state law ("Hazardous Wastes"), have been, are being or will be stored or treated in surface impoundments or other structures or facilities located on the property that are partially or entirely below the ground surface;

(v) No litigation, investigation, administrative order, consent order, agreements, or other action, proceeding or settlement (hereinafter "Action") has previously been brought, is now pending, or to the best knowledge of Mortgagor threatened against or anticipated by Mortgagor, with respect to Mortgagor's use or management of Hazardous Materials or Hazardous Wastes or the environmental condition of the Property, including any underlying groundwater. Upon learning thereof, Mortgagor shall immediately notify Mortgagee of any such Action or threatened Action and provide Mortgagee with copies of all documentation relative thereto; and

(vi) Except as disclosed in writing to Mortgagee, no underground tanks, wells (except domestic water wells), septic tanks, ponds, pits or any other storage tanks ("Tanks") (whether currently in use or abandoned) are or were located on or under the Property and no Tanks are or were serving the Property described herein. With respect to any Tanks disclosed in writing to Mortgagee, Mortgagor shall comply with all federal, state and local laws, regulations and ordinances and any requirements of city or county fire departments, applicable to the maintenance and use of such Tanks, including, without limitation, Title 40 of the Code of Federal Regulations Part 112.

(b) Nothing herein shall be deemed to prohibit Mortgagor from (i) using, handling or storing hazardous materials or substances, as defined under any federal, state or local law, regulation or ordinance ("Hazardous Materials") or (ii) storing or treating non-hazardous wastes, so long as such activities are carried out (a) in a good and husbandlike manner in the ordinary course of business, and (b) in compliance with all applicable environmental laws, regulations, permits, orders or other requirements.

(c) In the event that Mortgagor is in breach of any of its representations, warranties or covenants as set forth above, Mortgagor, at its sole expense, shall take all action required, including environmental cleanup of the Property, to comply with the representations, warranties and covenants herein or applicable legal requirements and, in any event, shall take all action deemed necessary by appropriate governmental authorities. Mortgagee shall have the right, but not the obligation, to advise appropriate governmental authorities of any environmental condition on or affecting the Property that constitutes or may constitute a breach of Mortgagor's obligations hereunder.

(d) Mortgagor and its successors and assigns shall indemnify, defend, protect, and hold harmless Mortgagee, its directors, officers, employees, agents, shareholders, successors and assigns and their officers, employees or agents, from and against any and all claims, suits, damages, liens, losses, liabilities, interest, judgments, response and cleanup costs, demands, actions, causes of action, injuries, administrative proceedings and orders, consent agreements and orders, penalties, costs and expenses (including any fees and expenses incurred in enforcing this indemnity, any out-of-pocket litigation costs and the reasonable fees and expenses of counsel) of any kind whatsoever ("Claims") paid, incurred or suffered by, or asserted against Mortgagee, including but not limited to Claims arising out of loss of life, injury to persons, trespass or damage to or contamination of property or natural resources, or injury to business, in connection with or arising out of the activities of Mortgagor on the Property, Mortgagor's predecessors in interest, third parties who have been invited, permitted or trespassed on the Property, or parties in a contractual relationship with Mortgagor, or any of them, or which directly or indirectly arise out of or result from or in any way connected with the Property, whether or not caused by Mortgagor or within the control of Mortgagor, including without limitation: (i) the presence, use, generation, treatment, storage, disposal, release, threatened release, or discharge of any Hazardous Material or Contaminant at or from the Property and/or the cleanup of Hazardous Materials or Contaminants within, on or under the Property; (ii) Mortgagor's breach of any of the representations, warranties and covenants contained herein; and (iii) Mortgagor's violation or alleged violation of any applicable Environmental Law, regulation or ordinance.

(e) Mortgagor's representations, warranties, covenants and indemnities contained herein shall survive the occurrence of any event whatsoever, including without limitation the payoff of any promissory note(s) secured hereby, the release or foreclosure of this Mortgage, the acceptance by Mortgagee of a deed in lieu of foreclosure, or any transfer or abandonment of the Property.

(f) The term "Environmental Law" shall mean any federal, state or local law, statute, ordinance, or regulation, now in effect or hereinafter enacted, pertaining to health, industrial hygiene, or the environmental conditions on, under or about the Property, including but not limited to enactments requiring the removal or containment of asbestos-containing materials in private buildings.

(g) Mortgagor shall permit, or cause any tenant of Mortgagor to permit, Mortgagee or its agents, or independent contractors to enter and inspect the Property at any reasonable time for purposes of determining, as Mortgagee deems necessary or desirable: (i) the existence, location and nature of any Hazardous Materials or Hazardous Wastes on, under or about the Property, (ii) the existence, location, nature, magnitude and spread of any Hazardous Materials or Hazardous Waste that has been spilled, disposed of, discharged or released on, under or about the Property, or (iii) whether or not Mortgagor and any tenant of Mortgagor is in compliance with applicable Environmental Law. If Mortgagor or its tenants fail to comply fully with the terms of this subdivision (g), Mortgagee may obtain affirmative injunctive relief to compel such compliance.

10. **Grazing Rights.** If any portion of the Property described in this Mortgage is used by Mortgagor as the basis for obtaining grazing permits or other grazing rights issued by any governmental agency, including without limitations the Forest Service, U.S. Department of Agriculture or the Bureau of Land Management, U.S. Department of Interior, Mortgagor covenants and agrees as follows:

(a) Said grazing permits or other rights are in good standing and have not been modified, reduced or limited in any other respect, except as fully disclosed in writing to Mortgagee;

(b) Mortgagor will perform all obligations imposed as a requirement of exercise of said grazing permits or other rights and will comply with all laws, rules and regulations applicable thereto;

(c) Mortgagor will take such timely action as may be required to cause the renewal or reissuance of said grazing permits or other rights from time to time as they expire during the term thereof. Mortgagor agrees and acknowledges that the failure to renew or cause the reissuance of any said permits for any reason, whether the result of an act or omission of Mortgagor or for reasons beyond Mortgagor's control, is an event of default hereunder and Mortgagee shall have the right to exercise the rights hereinafter set forth in this Mortgage; and

(d) Mortgagor agrees to pay all fees, charges, rents or other payments accruing under said permits or any renewals thereof prior to delinquency. In the event Mortgagor fails to pay any such payment, the amount unpaid shall become a part of the indebtedness secured by this Mortgage and shall be immediately due and payable.

B. IT IS MUTUALLY AGREED THAT:

1. Any award of damages in connection with any taking or condemnation or injury to the Property by reason of public use, or for damages resulting from private trespass or injury to the Property, is absolutely and unconditionally assigned and shall be paid to Mortgagee, under the terms and conditions of this Mortgage pertaining to Rents. Upon receipt of such money Mortgagee may apply the same on the indebtedness secured hereby. Mortgagor agrees to execute such further documents as may be required to effect the assignments herein made as Mortgagee may require.

2. At any time, without affecting the liability of any person for the payment of the indebtedness secured hereby, and without otherwise affecting the security hereof, Mortgagee may (a) consent to or join in the making of any map or plat of the Property; (b) grant any easement or create any restriction thereof; (c) subordinate this Mortgage; (d) extend or modify the term of the loan or loans secured hereby; and (e) release without warranty, all or any part of the Property.

3. Prior to any default by Mortgagor in the payment, observance, performance and discharge of any condition, obligation, covenant, or agreement of Mortgagor contained herein, Mortgagor may, for collection and distribution purposes only, collect and receive the Rents as they come due and payable; the Rents are to be applied by Mortgagor to the payment of the principal and interest and all other sums due or payable on any promissory note or guaranty secured by this Mortgage and to the payment of all other sums payable under this Mortgage and, thereafter, so long as the aforesaid has occurred, the balance shall be distributed to the account of Mortgagor. Upon any such default, Mortgagee may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of the Property or any part thereof, in his own name, sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Mortgagee may determine; also perform such acts of repair, cultivation, irrigation or protection, as may be necessary or proper to conserve the value of the Property; also lease the same or any part thereof for such rental, term, and upon such conditions as its judgment may dictate; also prepare for harvest, remove, and sell any crops that may be growing upon the Property, and apply the proceeds thereof upon the indebtedness secured hereby.

4. The entering upon and taking possession of the Property, the collection of such rents, issues, and profits, or the proceeds of fire and other insurance policies, or compensation or awards for any taking of or damage to the Property, and the application or release thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

5. Upon default by Mortgagor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of the Mortgagee and in accordance with applicable state law. In the event of default, Mortgagee may employ counsel to enforce payment of the obligations secured hereby, may foreclose and, if applicable, sell the Property by advertisement and sale, and in accordance with other applicable state law, and may exercise such other rights and remedies granted by law and equity, which rights and remedies shall be cumulative and not exclusive. Mortgagee may resort to and realize upon the security hereunder and any other real or personal property security now or hereafter held by Mortgagee for the obligations secured hereby in such order and manner as Mortgagee may, in its sole discretion, determine. Resort to any or all such security may be taken concurrently or successively and in one or several consolidated or independent judicial actions or lawful nonjudicial proceedings, or both. If the obligation secured by this Mortgage is also secured by personal property, fixtures or crops, Mortgagee may enforce its security interest in the personal property, fixtures and crops and its lien under this Mortgage in any manner and in any order or sequence permitted by applicable law. All remedies are cumulative and none are exclusive; no election by Mortgagee to pursue one remedy or item of collateral shall be deemed to be a release or waiver of any other item of collateral or a release or modification of the liability of Mortgagor or any guarantor to pay and perform in full all obligations to Mortgagee. The procedures governing the enforcement by Mortgagee of its foreclosure and provisional remedies against Mortgagor shall be governed by the laws of the state in which the Property is located. Nothing contained herein shall be construed to provide that the substantive law of the state in which the Property is located shall apply to Mortgagee's rights and Mortgagor's obligations hereunder or under the promissory note(s) or guaranties described herein, which are and shall continue to be governed by the substantive law of the state in which the promissory note(s) or guaranties were executed.

6. The failure on the part of the Mortgagee to promptly enforce any right hereunder shall not operate as a waiver of such right and the waiver by Mortgagee of any default shall not constitute a waiver of any other subsequent defaults. Subsequent acceptance of any payment by the holder hereof shall not be deemed a waiver of any default by Mortgagor, or of Mortgagee's rights hereunder as the result of any sale, agreement to sell, conveyance, or alienation, regardless of holder's knowledge of such default, sale, agreement to sell, conveyance, or alienation at the time of acceptance of such payment.

7. This Mortgage applies to, inures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. The term Mortgagee shall mean the holder and owner of any note secured hereby; or, if the note has been pledged, the pledgee thereof. In this Mortgage, whenever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural. All obligations of Mortgagor hereunder are joint and several.

8.(a) In the event the herein-described Property, or any part thereof, or any interest therein, is sold, agreed to be sold, conveyed, alienated or transferred, including any water transfer as defined in subsection (b) below, by Mortgagor, or by operation of law or otherwise, except by inheritance, without Mortgagee's prior written consent, all obligations secured hereby, irrespective of the maturity dates, at the option of the holder hereof, and without demand or notice, shall immediately become due and payable. Failure to exercise such option shall not constitute a waiver of the right to exercise this option in the event of subsequent sale, agreement to sell, conveyance or alienation.

(b) A water transfer is any transfer, assignment, sale, exchange, gift, encumbrance, pledge, hypothecation, alienation, grant of option to purchase, or other disposition of, directly, indirectly or in trust, voluntarily or involuntarily, by operation of law or otherwise, or the entry into a binding agreement to do any of the foregoing with respect to all or any part of (i) the groundwater on, under, pumped from or otherwise available to the Property, (ii) Mortgagor's right to remove and extract any such groundwater including any permits, rights or licenses granted by any governmental authority or agency and any rights granted or created by any easement, covenant, agreement or contract with any person or entity, (iii) any rights to which the Property is entitled with respect to surface water, whether such right is appropriative, riparian, prescriptive or otherwise and whether or not pursuant to permit or other governmental authorization, or the right to store any such water, (iv) any water, water right, water allocation, distribution right, delivery right, water storage right, water allocation, or other water-related entitlement appurtenant or otherwise applicable to the Property by virtue of the Property's being situated within the boundaries of any district, agency, or other governmental entity or within the boundaries of any private water company, mutual water company, or other non-governmental entity, or (v) any shares (or any rights under such shares) of any private water company, mutual water company, or other non-governmental entity pursuant to which Mortgagor or the Property may receive any rights.

9. In the event any one or more of the provisions contained in this Mortgage or in any promissory note(s) hereby secured shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Mortgage or said promissory note(s), but this Mortgage and said promissory note(s) shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein or therein.

Mitchell D. Sorensen
MITCHELL D. SORENSEN

Elaine R. Sorensen
ELAINE R. SORENSEN

ACKNOWLEDGMENT.
STATE OF IDAHO

County of Butte)
) ss.

On this 10th day of October, 2013, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Kirk J. Powell
Notary Public for the State of Idaho
Residing at Rexburg
My Commission Expires: 4-20-18



SCHEDULE A
REAL ESTATE DESCRIPTION TOGETHER WITH FIXTURES AND APPURTENANT SPRINKLER EQUIPMENT IF ANY FOR
MORTGAGE DATED October 8, 2013

Mitchell D. Sorensen
Loan No. 231-004-0006496059-5541441-101

REAL ESTATE DESCRIPTION:
Sorensen Farms
PARCEL 1

Township 3 North, Range 25 East of the Boise Meridian, Butte County, Idaho

Section 2: Lot 3 and 4 (N $\frac{1}{4}$ NW $\frac{1}{4}$); S $\frac{1}{4}$ NW $\frac{1}{4}$
Section 3: Lot 1, 2, 3 and 4 (N $\frac{1}{4}$ N $\frac{1}{2}$)
Section 4: Lot 1 and 2 (N $\frac{1}{4}$ NE $\frac{1}{4}$)

Township 4 North, Range 25 East of the Boise Meridian, Butte County, Idaho

Section 27: E $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 33: Lot 1 and 2 and 7 (NE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$); SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 34: ALL, EXCEPT the NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 35: NW $\frac{1}{4}$; SW $\frac{1}{4}$
Section 36: North 32 feet

PARCEL 2

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho

Section 5: Lot 1 and 2 (N $\frac{1}{4}$ NE $\frac{1}{4}$); SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 3

Tract A:

Township 3 North, Range 25 East of the Boise Meridian, Butte County, Idaho

Section 2: SW $\frac{1}{4}$
Section 3: S $\frac{1}{4}$ SE $\frac{1}{4}$
*Section 10: NE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$

Tract B:

Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho

Section 21: That portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner of the said NW $\frac{1}{4}$ NW $\frac{1}{4}$, thence East 1,230 feet;
thence South to the North boundary of the Moore Canal;
thence following said Moore Canal boundary Southwesterly to the Railroad right-of-way;
thence Northwesterly along said right-of-way to a point where it intersects a county road running North and South;
thence North along county road right-of-way to the Point of Beginning.

PARCEL 4

The following Easements:

(1) Easement in that Easement Agreement dated December 29, 1981, by and between Mitchell Sorensen and Elaine R. Sorensen, husband and wife, of Butte County, Idaho, hereinafter referred to as "Sorensen", and Boyd Burnett and Sandra Burnett, husband and wife, of Butte County, Idaho, hereinafter referred to as "Burnett", granting an easement across the North 32 feet of the NE $\frac{1}{4}$ of Section 35, Township 4 North, Range 25 East of the Boise Meridian; recorded March 4, 1982, as Instrument No. 11172, records of Butte County, Idaho.

(2) Easement in the Easement Agreement dated April 3, 1980, by and between Boyd Burnett and Sandra Burnett, husband and wife, and Mitchell Sorensen and Elaine R. Sorensen, husband and wife; recorded April 25, 1980, as Instrument No. M-9315, records of Butte County, Idaho.
(T4N, R25 EBM, along South line of NE $\frac{1}{4}$ of Sec. 35)

(3) Easement in the Easement Agreement dated July 14, 1981, by and between Timberline Beef, Inc., an Idaho Corporation, and Mitchell Sorensen and Elaine R. Sorensen, husband and wife; recorded July 14, 1981, as Instrument No. M-10610, records of Butte County, Idaho.
(T4N, R25 EBM, Sec. 35 SE $\frac{1}{4}$ NE $\frac{1}{4}$)

(4) Easement in the Easement Agreement dated January, 1988, by Mitchell Sorensen and Elaine Sorensen, husband and wife, and Don Hymas and Georgianna Hymas, husband and wife, and Dean Anderson and Caralee Anderson, husband and wife; recorded May 24, 1988, as Instrument No. 21063, records of Butte County, Idaho.
(T4N, R26 EBM, Sec. 5 NE $\frac{1}{4}$; E $\frac{1}{4}$ SE $\frac{1}{4}$)

(5) Easement in the Grant of Easement dated August 16, 1999, between the County of Butte, a political subdivision of the State of Idaho, hereinafter referred to as "Grantor", and Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife; recorded August 16, 1999, as Instrument No. 34782, records of Butte County, Idaho.

Note: This Easement is also signed and hereby Consent to this Easement by the owners of land adjacent to the county road—Robert Waddoups, Charmaine Waddoups, Keith Waddoups, Debbie Waddoups, and Winona Willis, a widow. (T4N, R26 EBM, Sec. 8 along the North line of NW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$)

(6) Irrigation Easement dated December 18, 2008, between Ken Buckwalter and Julie Buckwalter, husband and wife, to Telford Lands, LLC; recorded March 17, 2009, as Instrument No. 46457, records of Butte County, Idaho.

Correcuon Grant of Irrigation Easement to clarify legal description dated January 18, 2012, by and between Ken and Travis Buckwalter, father and son, "Grantor", and Telford Lands, LLC, an Idaho Limited Liability Company; Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife; and PU Ranch, a General Partnership, having as its partners the Marie Tuthill Family Trust and Slocum Investments, LLC, "Grantees"; recorded January 19, 2012, as Instrument No. 49248, records of Butte County, Idaho. (T5N, R26 EBM, Sec. 20 NE $\frac{1}{4}$; N $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$)

Assignment and Assumption of Irrigation Easement dated March 14, 2012, by and between PU Ranch, a General Partnership, and Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife; recorded May 1, 2012, as Instrument No. 49508, records of Butte County, Idaho.

(7) Quitclaim Deed for Irrigation Easement dated February 8, 2012, by and between Telford Lands, LLC, an Idaho Limited Liability Company, "Grantor", and Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife, "Grantee"; recorded February 8, 2012, as Instrument No. 49305, records of Butte County, Idaho. (T5N, R26 EBM, Sec. 21 NW $\frac{1}{4}$ West of Highway 93)

Amended and Restated Quitclaim Deed for Irrigation Easement dated April 27, 2012, by and between Telford Lands, LLC, an Idaho Limited Liability Company, "Grantor", and Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife, "Grantee"; recorded May 1, 2012, as Instrument No. 49309, records of Butte County, Idaho.

(8) Quitclaim Deed for Easement dated June 30, 2009, between the Big Lost River Irrigation District, "Grantor", and Telford Lands, LLC, Michael Telford, Mitchell D. Sorensen, and PU Ranch, "Grantee"; recorded July 13, 2009, as Instrument No. 46958, records of Butte County, Idaho. (Segment of "U-C" or Blaine Canal, T3N, R26 EBM, Sec. 20 NW¼NE¼ to T4N, R26 EBM, Sec. 5 NE¼NW¼)

Assignment of Easement dated March 14, 2012, by and between PU Ranch, a General Partnership, and Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife; recorded May 1, 2012, as Instrument No. 49510, records of Butte County, Idaho.

(9) Grant of Irrigation Easement dated December 27, 2011, by and between Standlee Family Limited Partnership, an Idaho Limited Partnership, "Grantor", and Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife, and PU Ranch, a General Partnership, having as its partners The Marie Tuthill Family Trust and Slocum Investments, LLC, "Grantees"; recorded May 1, 2012, as Instrument No. 49511, records of Butte County, Idaho. (T3N, R25 EBM, Sec. 2 SE¼)

Assignment and Assumption of Irrigation Easement dated March 14, 2012, by and between PU Ranch, a General Partnership, and Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife; recorded May 1, 2012, as Instrument No. 49512, records of Butte County, Idaho.

(10) Ditch Abandonment and Easement Relocation Agreement dated April 27, 2012, by and between Telford Lands, LLC, an Idaho Limited Liability Company, "Grantor", and Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife, "Grantee"; recorded May 1, 2012, as Instrument No. 49513, records of Butte County, Idaho.

TOGETHER WITH that certain Easement dated September 21, 2001, by and between M. Todd and Norma Perkes, husband and wife, as Grantors and Mitchell D. and Elaine R. Sorensen, husband and wife, as Grantees, which grants an easement or right of way for a certain buried pipeline for the location, installation, inspection, operation, maintenance, repair, rehabilitation, and replacement of the same.

Smith Farm
PARCEL 5

Tract A:

Beginning at a point which bears S. 00°04'39" E., 1,325.99 feet from the N1/4 Corner of Section 21, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and said One-Quarter Corner being described in Corner Perpetuation and Filing Record No. 20542; running thence S. 89°55'56" W., 1,320.33 feet to the West line of the E1/2NW1/4 of said Section 21; thence S. 00°02'20" E., 1,320.22 feet along said West line to the South line of the said NW1/4; thence S. 89°49'04" E., 1,321.24 feet along said South line to the Center section line; thence N. 00°04'39" W., 1,325.99 feet along the North-South Center section line to the Point of Beginning.

Tract B:

Beginning at a point which bears S. 00°04'39" E., 1,325.99 feet and S. 89°55'56" W., 1,320.33 feet from the N1/4 Corner of Section 21, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and said One-Quarter Corner being described in Corner Perpetuation and Filing Record No. 20542; running thence S. 89°55'56" W., 844.03 feet to the point of intersection with the Easterly Right-of-Way of the abandoned Mackay Branch of the Union Pacific Railroad Company; thence S. 22°55'16" E., 1,431.33 feet along said Railroad Right-of-Way to the South line of the NW1/4 of said Section 21; thence S. 89°49'04" E., 287.48 feet along said South line to the West line of the E1/2 of said Section 21; thence N. 00°02'20" W., 1,320.22 feet along said West line to the Point of Beginning.

LESS and EXCEPTING the following Tract: (Exception to Tracts A & B)

Part of the S1/2NW1/4 of Section 21, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, described as: Commencing at the Center N1/16 Corner of Section 21, said point bearing S. 00°32'52" E., 1,326.11 feet from the N1/4 Corner of said Section; thence S. 89°43'31" W., 2,168.86 feet along the South line of the N1/2NW1/4 of Section 21 to the Easterly Right-of-Way of the Mackay Branch of the Union Pacific Railroad; thence S. 23°24'29" E., 10.70 feet along said Railroad Right-of-Way to the Northwest corner of Deed Instrument No. 32712; thence N. 89°27'54" E., 2,164.68 feet along the North line of Deed Instrument Nos. 32712 and 32711 to the Center N1/16 Corner and the Point of Beginning.

Tract C:

Beginning at a point which bears S. 00°04'39" E., 2,651.98 feet from the N1/4 Corner of Section 21, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and said One-Quarter Corner being described in Corner Perpetuation and Filing Record No. 20542 and said point being the Center One-Quarter Corner of said Section 21; running thence N. 89°49'04" W., 1,608.72 feet to the point of intersection with the Easterly Right-of-Way of the abandoned Mackay Branch of the Union Pacific Railroad Company; thence S. 22°55'16" E., 1,041.04 feet along said Railroad Right-of-Way; thence S. 89°49'04" E., 1,204.56 feet to the North-South Center section line of said Section 21; thence N. 00°04'39" W., 957.56 feet along said Corner section line to the Point of Beginning.

LESS and EXCEPTING the following Tract: (Exception to Tracts B & C)

Beginning at a point which bears S. 00°04'39" E., 1,325.99 feet and S. 89°55'56" W., 2,164.36 feet and S. 22°55'16" E., 955.62 feet from the North 1/4 Corner of Section 21, Township 5 North, Range 26 EBM, Butte County, Idaho, and said 1/4 Corner being described in Corner Perpetuation and Filing Record No. 20542, and said Point of Beginning being on the Easterly Right-of-Way of the abandoned Mackay Branch of the Union Pacific Railroad Company and also said point being the True Point of Beginning; said Point of Beginning lying adjacent to an "existing post and rail fence" as described in Item 1 of Butte County Case No. CV-2008-12; running thence S. 22°55'16" E., 516.4 feet along the said Easterly Right-of-Way of the abandoned Mackay Branch of the Union Pacific Railroad Company to a point lying 75 feet South of an existing garage as mentioned in aforesaid Case No. CV-2008-12; thence N. 67°04'44" E., 10.4 feet, more or less, to a point lying 4 feet West of the crest (inside top of bank) of the canal; thence in the general direction of N. 22°55' W., 516.5 feet, more or less, along a meander line parallel and lying 4 foot West of the crest (inside top of bank) of the canal to a point being opposite and adjacent with the aforesaid "existing post and rail fence" along the North boundary of the Cain property; thence S. 67°04'44" W., 17.6 feet, more or less, to the True Point of Beginning.

Aforesaid description is in conformance with Butte County Case No. CV-2008-12, Item No. 1, conforming with and describing a parcel between the canal and the Cain structures.

Tract D:

Beginning at a point which bears S. 00°04'39" E., 3,609.54 feet from the N1/4 Corner of Section 21, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and said One-Quarter Corner being described in Corner Perpetuation and Filing Record No. 20542; running thence N. 89°49'04" W., 1,204.56 feet to the point of intersection with the Easterly Right-of-Way of the abandoned Mackay Branch of the Union Pacific Railroad Company; thence S. 22°55'16" E., 1,215.84 feet along said Railroad Right-of-Way; thence S. 56°43'55" E., 118.33 feet; thence S. 22°55'16" E., 550.74 feet to the South line of said Section 21;

thence S. 89°57'58" E., 419.89 feet to the S. Corner of said Section 21 as described in Corner. .rpetuation and Filing Record No. 31116;
thence N. 00°04'39" W., 1,688.43 feet along the Center section line to the Point of Beginning.

LESS and EXCEPTING the following Tract: (Exception to Tract D)

A parcel of land generally described as being a portion of the SE1/4SW1/4, Section 21, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and being more particularly described as follows:

Commencing at the S1/4 Corner of said Section 21, an iron rod with cap (Recorded - Instrument No. 31116, Butte Co. records), point being the Point of Beginning, from which the N1/4 Corner of said Section 21, an iron rod with cap (Recorded - Instrument No. 20542, Butte Co. records), bears N. 00°04'39" W., 5,297.97 feet;
thence N. 00°04'39" W., along the meridional center line of Section 21, a distance of 189.47 feet to a survey spike with washer L.S. 8252;
thence N. 89°57'58" W., and parallel to the South line of said Section 21, a distance of 499.76 feet to a point on the Old Railroad Right-of-Way and a capped half-inch diameter steel rod L.S. 8252;
thence S. 22°55'16" E., along said Old Railroad Right-of-Way, a distance of 205.76 feet to a point on the South line of Section 21, and a capped 5/8 inch diameter steel rod L.S. 3842;
thence S. 89°57'58" E., along the South line of Section 21, a distance of 419.89 feet to the Point of Beginning.

Perkes Farm
PARCEL 6

Township 3 North, Range 25 East of the Boise Meridian, Butte County, Idaho

Section 11: SE¼; N¼

FIXTURE AND/OR SPRINKLER EQUIPMENT DESCRIPTION:

Sorensen Farms

4 - wheelines 1,320' long
8 - 8 tower Valley pivots
1 - 10 tower Mel Brown pivot
4 - 100 hp US motors and Aurora turbine pumps
2 - 150 hp GE motors and Aurora turbine pumps
1 - 100 hp US motor and Ingersoll turbine pump
1 - 40 hp Century motor and centrifugal pump
1 - 200 hp US motor and Aurora turbine pump
1 - 250 hp GE motor and Aurora turbine pump
37,000 feet of 6" - 18" diameter Steel, and PVC mainline
3 - Mini Pivots

Smith Farm

1 - 90 hp electric Westinghouse motor Serial #9-SV-M-14005
1 - Johnston turbine pump Serial #16238
8" & 6" buried and portable mainline
1 - 6 tower pivot w/Valley upgrades
1 - 5" wheeline

Perkes Farm

1 - 100 hp US Motors motor Serial #027514513-0006
1 - Aurora turbine pump
1 - 100 hp US Motors motor Serial #T017512054-0010
1 - Aurora turbine pump
3,720 feet of 15" diameter buried pvc mainline
3,480 feet of 12" diameter buried pvc mainline
1,720 feet wire
1 - 8 tower model 4865 Valley pivot Serial #TP101
1 - 8 tower model 4865 Valley pivot Serial #TP102
1 - 8 tower model 4865 Valley pivot Serial #48452
1 - 4 tower Mel Brown pivot

ALSO:

All Mortgagor's right, title, and interest in and to improvements and upgrades to the Timberdome Canal Company irrigation system.


MITCHELL D. SORENSEN


ELAINE R. SORENSEN

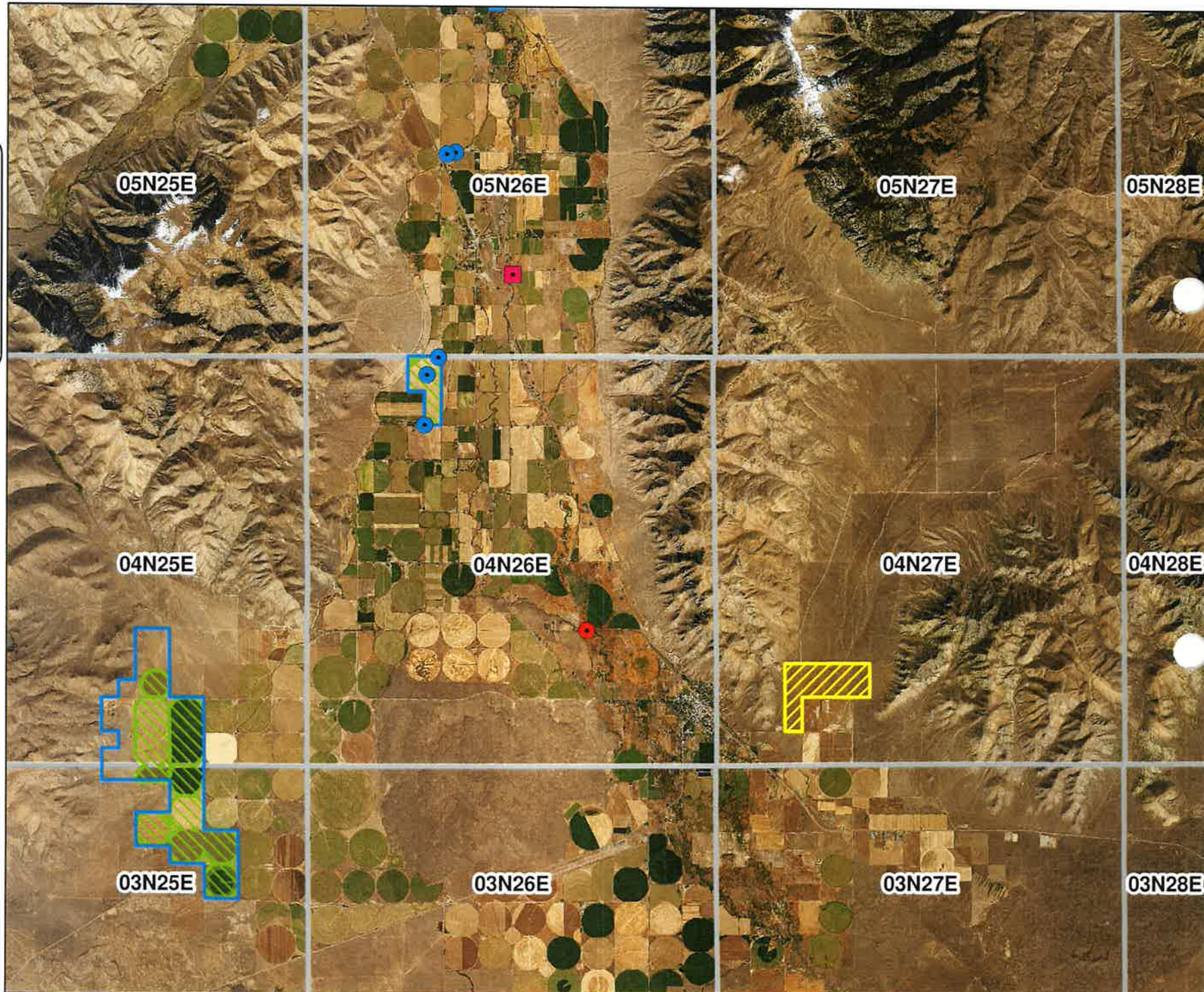
EXHIBIT B

SORENSEN APPLICATION FOR TRANSFER



Legend

- Proposed PODs_GW
- Moore Diversion
- 34-7110 Current POD
- 34-7052 Current POD
- Permissible POU
- Actual POU
- 34-7052 Current POU
- TR Lines



84270

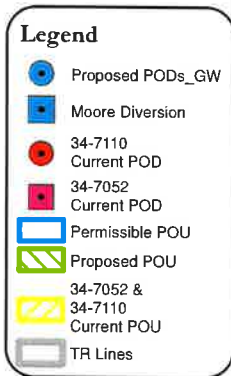
2019 NAIP Photo



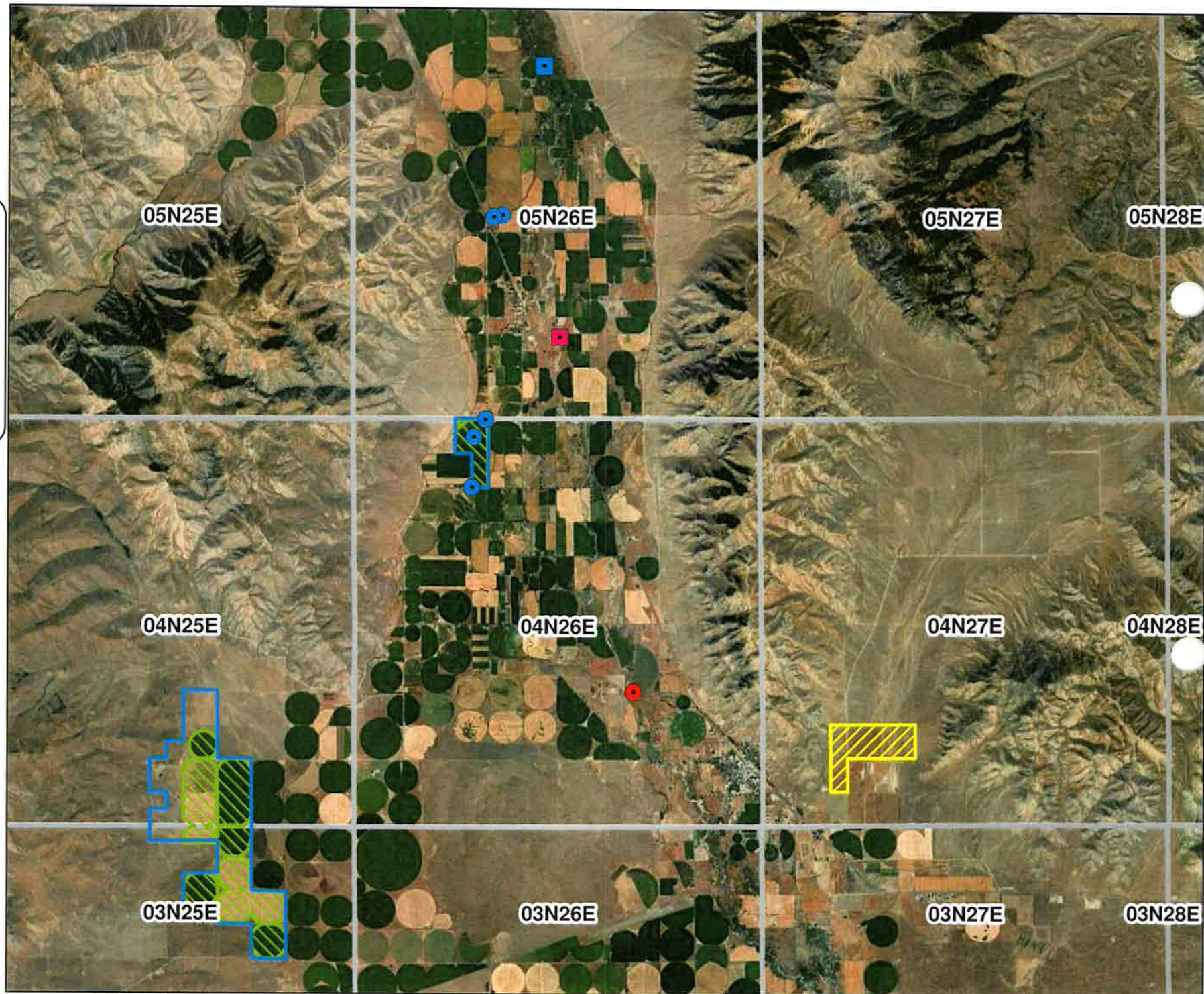
Prepared by:
Luke H. Marchant
07/17/2020

Attachment No. 7a
GIS Maps

84270



84270



ESRI Basemap



Prepared by:
Luke H. Marchant
07/21/2020

**Attachment No. 7b
GIS Shapefile**

**(Will be sent via email upon
request from IDWR)**



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

August 19, 2020

ELAINE R SORENSEN
3871 W 2500 N
MOORE, ID 83255-8722

RE: Transfer No. 84270
Water Right No(s). 34-10319, 34-12416, 34-13841, 34-170, 34-2332, 34-2424B, 34-2428,
34-496A, 34-556, 34-692D, 34-7035B, 34-7052, 34-7079, 34-7110

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 ARCO ADVERTISER, TIMES NEWS, IDAHO STATESMAN, LEWISTON TRIBUNE, POST REGISTER on 8/27/2020 and 9/3/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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

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

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

Sincerely,

Christina Henman
Administrative Assistant

CC:
LUKE H MARCHANT
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS, ID 83405

Henman, Christina

From: Henman, Christina
Sent: Wednesday, August 19, 2020 2:52 PM
To: TIMES NEWS (legals@magicvalley.com)
Subject: Legal Notice for Times News
Attachments: 84270 Statewide.docx

RE: Transfer No. 84270

Water Right No(s). 34-10319, 34-12416, 34-13841, 34-170, 34-2332, 34-2424B, 34-2428, 34-496A, 34-556, 34-692D, 34-7035B, 34-7052, 34-7079, 34-7110

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 9/14/2020. 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

Henman, Christina

From: Henman, Christina
Sent: Wednesday, August 19, 2020 2:52 PM
To: IDAHO STATESMAN (legals@idahostatesman.com)
Subject: Legal Notice for Idaho Statesman
Attachments: 84270 Statewide.docx

RE: Transfer No. 84270

Water Right No(s). 34-10319, 34-12416, 34-13841, 34-170, 34-2332, 34-2424B, 34-2428, 34-496A, 34-556, 34-692D, 34-7035B, 34-7052, 34-7079, 34-7110

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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

Henman, Christina

From: Henman, Christina
Sent: Wednesday, August 19, 2020 2:51 PM
To: LEWISTON MORNING TRIBUNE (legals@lmtribune.com)
Subject: Legal Notice for Lewiston Morning Tribune
Attachments: 84270 Statewide.docx

RE: Transfer No. 84270

Water Right No(s). 34-10319, 34-12416, 34-13841, 34-170, 34-2332, 34-2424B, 34-2428, 34-496A, 34-556, 34-692D, 34-7035B, 34-7052, 34-7079, 34-7110

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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 9/14/2020. 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

Henman, Christina

From: Henman, Christina
Sent: Wednesday, August 19, 2020 2:51 PM
To: ARCO ADVERTISER (arcoadv@aol.com)
Subject: Legal Notice for Arco Advertiser
Attachments: 84270 Statewide.docx

RE: Transfer No. 84270

Water Right No(s). 34-10319, 34-12416, 34-13841, 34-170, 34-2332, 34-2424B, 34-2428, 34-496A, 34-556, 34-692D, 34-7035B, 34-7052, 34-7079, 34-7110

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 9/14/2020. 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. 84270

ELAINE R SORENSEN, 3871 W 2500 N, MOORE, ID 83255-8722 has filed Application No. 84270 for changes to the following water rights within BUTTE County(s): Right No(s). 34-10319, 34-12416, 34-13841, 34-170, 34-2332, 34-2424B, 34-2428, 34-496A, 34-556, 34-692D, 34-7035B, 34-7052, 34-7079, 34-7110; 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 place of use, add points of diversion, and change points of diversion. The proposed points of diversion are in SESE, SENE, and Lot 1 (NENE) Sec 5 T4N R26E, and 2 wells in NWNW Sec 21 T5N R26E, for 20.80 cfs from Ground Water; and NWSESE Sec 4 T5N R26E (Moore Canal) for 17.47 cfs from Big Lost River. The total rate of diversion will be limited to 35.54 cfs. The proposed place of use is in Sec 2, 3, 10, and 11, T3N R25E; Sec 27, 34, and 35, T4N R25E; and Sec 5, T4N R26E; for irrigation of 1837 acres within a 2598-acre permissible place of use.

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 9/14/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/27/2020 and 9/3/2020

Henman, Christina

From: Henman, Christina
Sent: Wednesday, August 19, 2020 2:51 PM
To: POST REGISTER (legalnotices@postregister.com)
Subject: Legal Notice for Post Register
Attachments: 84270, Injection Well- Post Register.docx

RE: Transfer No. 84270

Water Right No(s). 34-10319, 34-12416, 34-13841, 34-170, 34-2332, 34-2424B, 34-2428, 34-496A, 34-556, 34-692D, 34-7035B, 34-7052, 34-7079, 34-7110

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 9/14/2020. 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. 84270**

ELAINE R SORENSEN, 3871 W 2500 N, MOORE, ID 83255-8722 has filed Application No. 84270 for changes to the following water rights within BUTTE County(s): Right No(s). 34-10319, 34-12416, 34-13841, 34-170, 34-2332, 34-2424B, 34-2428, 34-496A, 34-556, 34-692D, 34-7035B, 34-7052, 34-7079, 34-7110; 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 place of use, add points of diversion, and change points of diversion. The proposed points of diversion are in SESE, SENE, and Lot 1 (NENE) Sec 5 T4N R26E, and 2 wells in NWNW Sec 21 T5N R26E, for 20.80 cfs from Ground Water; and NWSESE Sec 4 T5N R26E (Moore Canal) for 17.47 cfs from Big Lost River. The total rate of diversion will be limited to 35.54 cfs. The proposed place of use is in Sec 2, 3, 10, and 11, T3N R25E; Sec 27, 34, and 35, T4N R25E; and Sec 5, T4N R26E; for irrigation of 1837 acres within a 2598-acre permissible place of use. 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 9/14/2020. The protestant must also send a copy of the protest to the applicant.

NOTICE OF DRAFT PERMIT

Notice is given of draft permit(s) allowing the operation of an injection well as per provisions of Title 42, Chapter 39, Idaho Code for the following injection well(s) listed in this format // Well Number, Location, Operator, Injectate //:

// 25W039001, T3NR38ES9NWNWSW, Centerville Canal Co., Agricultural Runoff //
// 25W015002, T3NR38ES7SWNESE, Stuart Purser, Agricultural Runoff //
// 25W008001, T3NR38ES10SWSWNW, Carol Buckley, Agricultural Runoff //
// 25W042001, T3NR38ES30SWSENE, Don Michaelson, Agricultural Runoff //
// 25W038001, T3NR38ES4SWSWSE, Mikal & Alana Erickson, Agricultural Runoff //
// 25W044001, T3NR38ES31SWSWSE, Steven Wagoner, Agricultural Runoff //
// 25W047001, T3NR38ES8NWSWSW, Clayton Farm, Agricultural Runoff //
// 25W041001, T3NR38ES30NWNENE, Lawrence Gillow, Agricultural Runoff //

Copies can be requested from the Idaho Department of Water Resources at (208) 287-4800. Comments or requests for fact-finding hearings must be filed with the Department within 30 days of the initial publication date of this notice. Gary Spackman, Director.
Published on 8/27/2020 and 9/3/2020

GARY SPACKMAN, Director

Published on 8/27/2020 and 9/3/2020

Henman, Christina

From: Henman, Christina
Sent: Wednesday, August 19, 2020 2:11 PM
To: 'watermaster34@atcnet.net'
Subject: Application for Transfer No. 84270
Attachments: RecommendationForm Transfer21.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.