

JUL 31 2020

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84222

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) BLUE SAGE PROPERTIES LLC

Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.**Yes N/A** *Means the item is always required and must be included with the application.

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #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 transfer 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).
- ☒ ☐ #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 <http://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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: _____

RECEIVED

JUL 31 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant BLUE SAGE PROPERTIES LLC

Phone

Mailing Address 3394 N 2600 E, TWIN FALLS ID 83301-0248

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

Phone

Mailing Address

Email

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

Antoinette N. Hafziger

Signature of Applicant or Authorized Representative

Antoinette Hafziger owner

Print Name and Title if applicable

7/31/20

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	36-16186	Yes	Yes	No	No	No	No
	36-16188	Yes	Yes	No	No	No	No

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application proposes to change a portion of two ground water irrigation rights, totaling 0.1 cfs and 5.3 acres. The transfer also proposes to change the point of diversion to the applicants existing well and change the ownership of the two water rights.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-17170	0.030 cfs	5.6 af	1.4	5.3	36-16186	0.020 cfs	5.2 af	1.3	5.1
36-17171	0.070 cfs	15.6 af	3.9	5.3	36-16188	0.070 cfs	14.8 af	3.7	5.1

COMBINED TOTALS

0.100 cfs	21.2 af	5.3	5.3	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 0.1 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)

☒ As shown in Part 1.

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

☐ No changes to place of use are proposed. (Proceed to #5.)

☒ As shown in Part 1.

☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes

Original Water Right No. 36-16186

Current Water Right Owner

GREG LEDBETTER
 C/O C BAR M DAIRY
 268 S 500 WEST
 JEROME, ID 83338

AND/OR

JANE F LEDBETTER
 268 S 500 W
 JEROME, ID 83338

Priority Date: 10/28/1977

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.020 CFS	5.2 AFA	
Total Diversion			0.020 CFS	5.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NESENE

Sec. 31 Twp 08S Rge 16E GOODING County

Describe the proposed diversion system

WELL TIED INTO A COMMON DELIVERY SYSTEM TO TWO CENTER PIVOTS

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	31																5.1	5.1

Right Acre Limit: 1.3

POU Total Acres: 5.1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes

Original Water Right No. 36-16188

Current Water Right Owner

GREG LEDBETTER
 C/O C BAR M DAIRY
 268 S 500 WEST
 JEROME, ID 83338

And/Or

JANE F LEDBETTER
 268 S 500 W
 JEROME, ID 83338

Priority Date: 8/10/1973

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.070 CFS	14.8 AFA	
Total Diversion			0.070 CFS	14.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NESENE

Sec. 31 Twp 08S Rge 16E GOODING County

Describe the proposed diversion system

1 WELL & PUMP TIED INTO 2 CENTER PIVOTS

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	31																5.1	5.1

Right Acre Limit: 3.7

POU Total Acres: 5.1

APPLICATION FOR TRANSFER OF WATER F

(Original Water Right No. 36-16188)

**BLUE SAGE PROPERTIES
LLC
3394 N 2600 E
TWIN FALLS, ID
83301-0248**

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.070 CFS	15.6 AFA	
Total Diversion			0.070 CFS	15.6 AFA	

GROUND WATER SWSE Sec. 31 Twp 08S Rge 16E GOODING County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	16E	31															5.3		5.3

Right Acre Limit:	3.9
POU Total Acres:	5.3

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
Applicants existing well with a metering device installed

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

Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ If Yes, ☐

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None

- f. 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: No

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 36-16186

Current Water Right Owner

GREG LEDBETTER
C/O C BAR M DAIRY
268 S 500 WEST
JEROME, ID 83338

And/Or

JANE F LEDBETTER
268 S 500 W
JEROME, ID 83338

Priority Date: 10/28/1977

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.050 CFS	
Total Diversion			0.050 CFS	

Source and Point(s) of Diversion:

GROUND WATER

NESENE

Sec. 31 Twp 08S Rge 16E GOODING County

Describe the proposed diversion system

WELL TIED INTO A COMMON DELIVERY SYSTEM TO TWO CENTER PIVOTS

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	31															5.3	5.1	10.4

Right Acre Limit: 2.7

POU Total Acres: 10.4

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-16188 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .19 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 41.2 AF.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2.7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-16188 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 10.3 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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. USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 36-16188

Current Water Right Owner

GREG LEDBETTER
 C/O C BAR M DAIRY
 268 S 500 WEST
 JEROME, ID 83338

And/Or

JANE F LEDBETTER
 268 S 500 W
 JEROME, ID 83338

Priority Date: 8/10/1973

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.140 CFS	
Total Diversion			0.140 CFS	

Source and Point(s) of Diversion:

GROUND WATER

NESENE

Sec. 31 Twp 08S Rge 16E GOODING County

Describe the proposed diversion system

1 WELL & PUMP TIED INTO 2 CENTER PIVOTS

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	31															5.3	5.1	10.4

Right Acre Limit: 7.6

POU Total Acres: 10.4

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-16186 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .19 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 41.2 AF.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 7.6 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 36-16186 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 10.3 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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. USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Transfer No. 84222

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Transfer No. 84222

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

N/A

FOR DEPARTMENT USE ONLY

Transfer Contains 13 pages and attachments.

Received By CH Date 7-31-2020 Prelim. Check By Date

Fee Paid \$400- Date 7-31-2020 Received By DM Receipt # 5038057

Add'l Fee Paid Date Received By Receipt #

19350379

(Space above reserved for Recorder's Office)

WARRANTY DEED

For Value Received,

Roth Investments, L.L.C., an Idaho limited liability company (the "Grantor")

does hereby grant, bargain, sell and convey unto

Blue Sage Properties, LLC, an Idaho limited liability company (the "Grantee")

whose current address is

3394 North 2600 East, Twin Falls, Idaho 83301

the following described real property, together with all improvements thereon, to-wit:

See Exhibit A attached hereto

SUBJECT TO all existing U.S. Patent reservations and restrictions, zoning ordinances, applicable building codes, laws and regulations, current year taxes, levies and assessments (including irrigation and utility assessments), and the following specific exceptions:

1-52. Intentionally omitted.

TRACT NO. 2 - GOODING COUNTY

53-54. Intentionally omitted.

55. Right-of-way for canals, laterals and waste ditches and the rights of access thereto for maintenance of said North Side Canal Company, Ltd.

56. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: November 12, 1941

Book 5 at Page(s) 30

Instrument No.: 81990

57. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: August 22, 1969

Instrument No.: 29637

58. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: June 21, 1973

Instrument No.: 45939

59. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: March 22, 1974

Instrument No.: 49426

60. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Circle 4 Cattle Company, Inc., an Idaho corporation

Purpose: Public Utilities

Recorded: March 6, 1991

Instrument No.: 143951

61-66. Intentionally omitted.

TO HAVE AND TO HOLD said premises, with its appurtenances, unto said Grantee and its heirs and assigns forever. The Grantor hereby covenants to and with the Grantee that it is the owner in fee simple of the premises; that, subject to the exceptions set forth above, said premises is free from all encumbrances; and that, subject to the foregoing, it will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

[The remainder of this page has been left intentionally blank.]

Dated this 23 day of January, 2020.

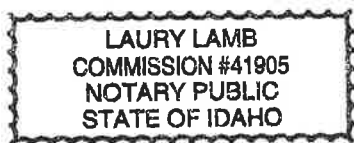
GRANTOR

ROTH INVESTMENTS, L.L.C.

By: Todd A. Roth
Todd Roth, Manager and
Authorized Signatory

STATE OF IDAHO)
 : ss.
County of Twin Falls)

On this 22 day of January, in the year 2020, before me, a notary public for the State of Idaho, personally appeared **Todd Roth**, known or identified to me to be the person listed above and a Manager and Authorized Signatory of **Roth Investments, L.L.C.**, and acknowledged to me on this day under oath, that, being informed of the contents of this document, he executed the same on behalf of such entity as his free and voluntary act and deed.



Laury Lamb
Notary Public for the State of Idaho
Residing at: Jerome, ID
My Commission Expires: 4/2/22, 2022

Exhibit A

Legal Description:

TRACT NO. 2 - GOODING COUNTY

PARCEL NO. 1

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: That part of Lot 3, more particularly described as follows:

Beginning at the Northwest corner of said Lot 3, which point shall be known as the TRUE POINT OF BEGINNING;

Thence South 1288.58 feet along the Westerly boundary of said Lot 3, to a point that lies North 30.43 feet from the Southwest corner of said Lot 3;

Thence South 89°40'43" East, 1055.89 feet to a point on the Easterly boundary of said Lot 3, said point lies North 0°13'26" West, 26.61 feet from the Southeast corner of said Lot 3;

Thence North 0°13'26" West, 1292.44 feet along the Easterly boundary of said Lot 3 to the Northeast corner of said Lot 3;

Thence North 89°53'14" West, 1050.85 feet along the Northerly boundary of said Lot 3 to the TRUE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: That part of Lot 4, more particularly described as follows:

Commencing at the Southwest corner of said Lot 4;

Thence South 89°53'05" East along the South boundary of said Lot 4, 660.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing South 89°53'05" East along the South boundary of said Lot 4, 401.12 feet to the Southeast corner of said Lot 4;

Thence North 0°13'26" West along the East boundary of said Lot 4, 1319.05 feet to the Northeast corner of Lot 4;

Thence North 89°53'09" West along the North boundary of said Lot 4, 395.98 feet;

Thence South 1319.03 feet to the TRUE POINT OF BEGINNING.

SAVE AND EXCEPT the following described tracts:

Tract No. 1:

Commencing at the Southwest corner of said Lot 4; Thence South 89°53'05" East, 660.00 feet along the Southerly boundary of said Lot 4 to the TRUE POINT OF BEGINNING;

Thence South 89°53'05" East, 162.00 feet along said Southerly boundary, said point lies North 89°53'05" West, 239.12 feet from the Southeast corner of said Lot 4;
Thence North 1°53'56" East, 121.07 feet;
Thence North 89°39'20" East, 96.49 feet;
Thence North 2°06'56" East, 108.20 feet;
Thence North 88°57'04" East, 117.79 feet to a point that lies North 0°13'26" West, 232.64 feet and South 88°57'04" West, 15.95 feet from the Southeast corner of said Lot 4;
Thence North 0°50'02" West, 505.10 feet;
Thence North 89°46'34" East, 21.33 feet to the Easterly boundary of said Lot 4;
Thence North 0°13'26" West, 581.58 feet along the Easterly boundary of said Lot 4 to the Northeast corner of said Lot 4;
Thence North 89°53'09" West, 395.98 feet along the Northerly boundary of said Lot 4;
Thence South 1319.03 feet to the TRUE POINT OF BEGINNING.

Tract No. 2:

Beginning at the Southwest corner of Section 31; Thence South 89°53'05" East 822.00 feet along the Southerly boundary of Section 31 to the TRUE POINT OF BEGINNING;
Thence North 1°53'56" East, 121.07 feet;
Thence North 89°39'20" East, 96.49 feet;
Thence North 2°06'56" East, 108.20 feet;
Thence North 88°57'04" East, 40.98 feet;
Thence South 0°06'55" West, 230.75 feet to the Southerly boundary of Section 31;
Thence North 89°53'05" West, 145.00 feet along said Southerly boundary to THE TRUE POINT OF BEGINNING.

PARCEL NO. 3

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: That part of the SW¼NE¼, SE¼NW¼ and NW¼SE¼, described as follows:

Beginning at the East quarter corner of Section 31;
Thence North 89°53'14" West, 1847.10 feet along the Northerly boundary of the SE¼ of Section 31 to the TRUE POINT OF BEGINNING;
Thence along the arc of a curve left, 1150.56 feet having a 1403.00 feet radius and a chord of South 45°01'49" West, 1118.59 feet to a point in the Westerly boundary of the NW¼SE¼ of Section 31;
Thence North 0°13'31" West, 792.12 feet along the Westerly boundary of the NW¼SE¼ to the center of quarter corner of Section 31;
Thence North 89°53'14" West, 696.79 feet along the Southerly boundary of the SE¼NW¼ of Section 31;
Thence Northeasterly, 934.40 feet along the arc of a curve left having a radius of 1242.00 feet and a chord of North 43°45'33" East, 912.52 feet;
Thence Southeasterly, 983.40 feet along a curve left having a radius of 1395.00 feet and a chord of South 46°36'27" East, 963.16 feet to a point in the Southerly boundary of the SW¼NE¼ of Section 31;

Thence South 89°53'14" East, 160.26 feet along the Southerly boundary of the SW¼NE¼ of Section 31 to the TRUE POINT OF BEGINNING.

PARCEL NO. 4

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: That part of Lot 2, more particularly described as follows:

Beginning at the West quarter corner of Section 31, the TRUE POINT OF BEGINNING;
Thence North 568.73 feet along the Westerly boundary of Section 31;
Thence South 89°53'14" East, 45.85 feet;
Thence Southeasterly, 833.20 feet along the arc of a curve left having a radius of 1242.00 feet and a chord of South 45°52'08" East, 817.66 feet to a point in the Southerly boundary of Lot 2 of Section 31;
Thence North 89°53'14" West, 632.70 feet along the Southerly boundary of Lot 2 to the TRUE POINT OF BEGINNING.

PARCEL NO. 5

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: E½SW¼

PARCEL NO. 6

TOWNSHIP 8 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: A tract of land located in the SW¼SE¼, more particularly described as follows:

Beginning at the Southwest corner of said SW¼SE¼;
Thence North 0°35'28" West a distance of 723.70 feet along the Westerly boundary of said SW¼SE¼;
Thence North 89°17'53" East a distance of 34.97 feet;
Thence South 30°53'05" East a distance of 112.82 feet;
Thence South 32°32'24" East a distance of 90.63 feet;
Thence South 34°21'09" East a distance of 86.68 feet;
Thence South 38°48'04" East a distance of 99.90 feet;
Thence South 43°05'49" East a distance of 94.89 feet;
Thence South 46°57'43" East a distance of 96.46 feet;
Thence South 51°43'08" East a distance of 102.01 feet;
Thence South 55°39'44" East a distance of 101.03 feet;
Thence South 50°01'56" East a distance of 71.66 feet;
Thence South 15°45'40" East a distance of 104.03 feet to the Southerly boundary of said SW¼SE¼;

Thence South 90°00'00" West a distance of 627.68 feet along the Southerly boundary of said SW¼SE¼ to the POINT OF BEGINNING.

PARCEL NO. 7

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: A parcel of land located in the SE¼, more particularly described as follows:

Beginning at the Southeast corner of said SE¼ Section 31; Thence South 90°00'00" West a distance of 1291.15 feet along the Southerly boundary of said SE¼; Thence North 0°00'00" East a distance of 35.00 feet to the TRUE POINT OF BEGINNING;
Thence South 90°00'00" West a distance of 37.00 feet;
Thence North 0°00'00" East a distance of 35.00 feet;
Thence North 90°00'00" East a distance of 37.00 feet;
Thence South 0°00'00" West a distance of 35.00 feet to the TRUE POINT OF BEGINNING.

EASEMENT NO. 2:

Easement disclosed in Warranty Deed recorded August 8, 1997 as Instrument Number 171892, Gooding County records, for the purpose of ingress and egress over a strip of land 15.00 feet in width located in the SE¼ of Section 31, Township 8 South, Range 16, East Boise Meridian in Gooding County, Idaho, and lying 7.50 feet right and 7.50 feet left of the following described centerline:

Beginning at the Southeast corner of said SE¼ Section 31;
Thence South 90°00'00" West a distance of 1320.65 feet along the Southerly boundary of said SE¼;
Thence North 0°00'00" East a distance of 25.00 feet to the Northerly boundary of a county road easement and THE TRUE POINT OF BEGINNING;
Thence North 0°00'00" East a distance of 10.00 feet to the Southerly boundary of the above described Parcel No. 7 and the North terminus of said easement.

AND an easement disclosed in Warranty Deed recorded August 8, 1997 as Instrument Number 171892, Gooding County records, for the purpose of maintenance of an irrigation pipeline over a strip of land 15.00 feet in width located in the SE¼ of Section 31, Township 8 South, Range 16, East Boise Meridian in Gooding County, Idaho and lying 7.50 feet right and 7.50 feet left of the following described centerline:

Beginning at the Southeast corner of said SE¼ Section 31;
Thence South 90°00'00" West a distance of 1291.15 feet along the Southerly boundary of said SE¼;
Thence North 0°00'00" East a distance of 70.00 feet to the Northeast corner of the above described parcel;
Thence South 90°00'00" West a distance of 11.30 feet along the Northerly boundary of the above described parcel to THE TRUE POINT OF BEGINNING;

Thence North $52^{\circ}29'17''$ West a distance of 1702.07 feet to a point on the Westerly boundary of said SE $\frac{1}{4}$ which bears North $0^{\circ}35'28''$ West a distance of 1106.50 feet from the Southwest corner of said SE $\frac{1}{4}$ and the terminus of said easement.

NESW

NWSE

NESE

31

08S16E

SWSE

SESW

SESE

Place of Use

Point of Diversion

NENW 3

6

NWNE 2

09S16E

NENE 1

TRANSFER 84222

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.



0003795209

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

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003795209

Date Filed: 3/3/2020 12:07:07 PM

Entity Name and Mailing Address:

BLUE SAGE PROPERTIES, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000382283

Address 3394 N 2600 E
TWIN FALLS, ID 83301-0248

Entity Details:

Entity Status Active-Existing

This entity is organized under the laws of: IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W124736

The registered agent on record is:

Registered Agent ANTOINETTE H "TONI" HAFLIGER
Registered Agent

Physical Address

3394N 2600E
TWIN FALLS, ID 83301

Mailing Address

3394 N 2600 E
TWIN FALLS, ID 83301-0248

Limited Liability Company Managers and Members

Name	Title	Business Address
ANTOINETTE HELENE HAFLIGER	Manager	3765 N. 2300 E. FILER, ID 83328

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

antoinette h haliger

Sign Here

03/03/2020

Date

Job Title: manager

B0490-2366 03/03/2020 12:07 PM Received by ID Secretary of State Lawrence Denney

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 104922

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	148.68
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	148.68
Fax			
Section	Legals	Start/End Dates	08/20/2020 - 08/27/2020
SubSection		Insertions	2
Category	50 Legal	Size	96
Ad Key	104922-1	Salesperson(s)	Jenny Green - Legals
Keywords	Transer No. 84222 Water Right 36-16186, 36-	Taken By	Sherri Davis
Notes			

Ad Proof

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

1-10692
ARTHUR A FETZER
DEBORAH J FETZER
 2131 16TH ST
 HEYBURN, ID 83336-9664
 Point of Diversion SENW S16 T10S R23E MINIDOKA County
 Source SNAKE RIVER Tributary COLUMBIA RIVER
 Use: DOMESTIC 03/15 to 11/15 0.02 cfs
 Total Diversion: 0.02 cfs
 Date Filed: 08-03-2020
 Place Of Use: DOMESTIC
 T10S R23E S16 L5(SENW), L6(SWNE)
 Application proposes to divert up to 0.02 cfs from the Snake River for domestic use, intended to provide up to 0.5 acre for the irrigation of lawn, garden & landscaping only. Proposed place of use and point of diversion are located at 2131 16th St Dr in Heyburn.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84222

BLUE SAGE PROPERTIES LLC, 3394 N 2600 E, TWIN FALLS, ID 83301-0248 has filed Application No. 84222 for changes to the following water rights within GOODING County(s): Right No(s). 36-16186, 36-16188. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion for a portion of two ground water rights with a combined total diversion of 0.1 cfs and the irrigation of 5.3 acres to an existing well on the applicant's property. The current authorized point of diversion is located approximately 2.0 miles south and 5.0 miles west of the city of Jerome. The proposed new location of the existing well and the 5.3 acres of irrigation is located approximately 2.9 miles south and 5.3 miles west of the city of Jerome. Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://re-search.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before September 8, 2020. The protestant must also send a copy of the protest to the applicant.
 GARY SPACKMAN, Director
Published: on August 20th & 27th, 2020

✓ DM
 Proof of legal notice
 received from
 Times News 8/14/2020



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

August 13, 2020

WATER DISTRICT 130
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301-5858

RE: Application for Transfer No. 84222 (Blue Sage Properties LLC)

Dear Nathan:

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 untested 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.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

August 13, 2020

BLUE SAGE PROPERTIES LLC
3394 N 2600 E
TWIN FALLS, ID 83301-0248

RE: Transfer No. 84222
Water Right No(s). 36-16186, 36-16188

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 **TIMES NEWS on 8/20/2020 and 8/27/2020**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **September 8, 2020**.

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,

Denise Maline

Denise Maline
Administrative Assistant 1

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 13, 2020 12:52 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on August 20th & 27th, 2020. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

August 13, 2020

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application for Permit No. 1-10692

RE: Transfer No. 84222

Water Right No(s). 36-16186, 36-16188

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 September 8, 2020. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline

Administrative Assistant 1

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

1-10692

ARTHUR A FETZER

DEBORAH J FETZER

2131 16TH ST

HEYBURN, ID 83336-9664

Point of Diversion SENW S16 T10S R23E MINIDOKA County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: DOMESTIC 03/15 to 11/15 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 08-03-2020

Place Of Use: DOMESTIC

T10S R23E S16 L5(SENW), L6(SWNE)

Application proposes to divert up to 0.02 cfs from the Snake River for domestic use, intended to provide up to 0.5 acre for the irrigation of lawn, garden & landscaping only. Proposed place of use and point of diversion are located at 2131 16th St Dr in Heyburn.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84222**

BLUE SAGE PROPERTIES LLC, 3394 N 2600 E, TWIN FALLS, ID 83301-0248 has filed Application No. 84222 for changes to the following water rights within GOODING County(s): Right No(s). 36-16186, 36-16188. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion for a portion of two ground water rights with a combined total diversion of 0.1 cfs and the irrigation of 5.3 acres to an existing well on the applicant's property. The current authorized point of diversion is located approximately 2.0 miles south and 5.0 miles west of the city of Jerome. The proposed new location of the existing well and the 5.3 acres of irrigation is located approximately 2.9 miles south and 5.3 miles west of the city of Jerome.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **September 8, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 20th & 27th, 2020

MEMORANDUM

TO: Transfer 84222 File

FROM: Benny Walker

DATE: August 10, 2020

SUBJECT: Filing Fee

The filing fee of, \$400.00, for this transfer is based on the amount of water proposed to be transferred or changed, 0.10 cfs. The transfer fee schedule for a transfer involving 0.00-0.20 cfs indicates that the filing fee is \$200.00. The transfer also required a fee of \$100.00 for per divided right requiring an ownership change for an additional fee of \$200.00, for a combined total of \$400.00. The applicant submitted a fee of \$400.00 for this transfer. (Receipt S038057).

MEMORANDUM

Date: August 10, 2020
To: Transfer 84222 File
From: Benny Walker
Re: Transfer Synopsis

Application for transfer proposes to change the point of diversion for a portion of two ground water rights with a combined total diversion of 0.1 cfs and the irrigation of 5.3 acres to an existing well on the applicants' property. The current authorized point of diversion is located approximately 2.0 miles south and 5.0 miles west of the city of Jerome. The proposed new location of the existing well and the 5.3 acres of irrigation is located approximately 2.9 miles south and 5.3 miles west of the city of Jerome. The application also proposes to update the ownership of the 0.1 cfs portion of the two water rights to the applicant.

The right involved with the application is located within Water District #130. Therefore watermaster comments will be solicited. The application will be subject to notice and protest.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 10, 2020

RECEIVED

JUL 31 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

BLUE SAGE PROPERTIES, LLC
3394 N. 2600 E.
TWIN FALLS, ID 83301

RE: Transfer Application 84222

Dear Mr. & Mrs. Hafliger,

Nathan Erickson has asked me to draft a transfer on your behalf to change the ownership and point of diversion for two water rights (36-16186, and 36-16188) in Gooding County. Please find the enclosed transfer application 84222 that I have completed for Blue Sage Properties, LLC. Please review the application for accuracy, then sign (Antoinette Hafliger) and date the application and return all original pages and map along with a filing fee of \$400.00, check payable to IDWR, for processing to my attention.

If you have any question please feel free to contact me at your convenience.

Sincerely,

Benny Walker
Water Resource Agent

Enclosures