

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

84175

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Wade Lee Schvaneveldt and Kirsten Lyn Schvaneveldt

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☒ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 28 2020

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Wade Lee Schvaneveldt and Kirsten Lyn Schvaneveldt Phone 208-709-4987
Mailing address P.O. Box 602, Grace, Idaho 83241 Email kirstenswanny@gmail.com

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

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

☐ No Representative

Name of Representative Randall C. Budge Phone 208-232-6101
Mailing address P.O. Box 1391, Pocatello, Idaho 83204-1391 Email randy@racineolson.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.

Randall C. Budge Randall C. Budge, Attorney in Fact 5/26/2020
Signature of Applicant or Authorized Representative Print Name and Title if applicable 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 Ownership Change to Applicants
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
The purpose of this transfer is to correct and update the place of use to the current place of use for irrigation purposes in consistent with historic diversion and use practices. Also to change ownership to applicants as the owners of all property within the place of use as established by the attached Warranty Deed and 2019 tax notice.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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

1.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	13-603	0.3 cfs	Irrigation	4/20 to 9/30	Black Canyon & China Spri
☒ ☐	13-606	0.3 cfs	Irrigation	4/20 to 9/30	Black Canyon & Green Will
☒ ☐	13-608	0.3 cfs	Irrigation	4/20 to 9/30	Nettie Springs/Bear River
☒ ☐	13-610	0.1 cfs	Irrigation	4/20 to 9/30	Springs/Bear River
☒ ☐	13-2072	2 cfs	Irrigation	4/20 to 9/30	Springs/Bear River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.08 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	40E	29	36	33		31													100
Total Acres (for irrigation use)																			100

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:

All rights are currently diverted from Black Canyon Spring through a pipeline to the irrigated place of use.

Pipeline can be equipped with a flow meter if one is required in the future.

- b. Who owns the property at the point(s) of diversion? BCT Property LLC

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

Pipeline from Black Canyon Spring has been in place since the late 1960s.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

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

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:

None

- 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:

None.

- 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:



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WATER RIGHT REPORT

10/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-603

Owner Type | Name and Address

Current Owner | RALPH T HANSEN
RT 1 BOX 89
GRACE, ID 83241

Original Owner | JOSEPH HANSEN

Priority Date: 06/28/1895

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BLACK CANYON SPRING	BEAR RIVER
CHINA SPRING	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.3 CFS	
Total Diversion			0.3 CFS	

Location of Point(s) of Diversion:

CHINA SPRING	SESE	Sec. 17	Township 10S	Range 40E	CARIBOU County
BLACK CANYON SPRING	SESE	Sec. 17	Township 10S	Range 40E	CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU 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>
10S	40E	29		NENE			NWNE			SENE				

Conditions of Approval:

1. || P/U, AC IRR=30. P/U, AC. IRR. = 15.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

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: 11

Generic Max Rate per Acre:

Generic Max Volume per Acre:

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

10/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-606

Owner Type | Name and Address

Current Owner | RALPH T HANSEN
RT 1 BOX 89
GRACE, ID 83241

Original Owner | JOSEPH HANSEN

Priority Date: 06/29/1895

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BLACK CANYON SPRING	BEAR RIVER
GREEN WILLOW SPRINGS	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.3 CFS	
Total Diversion			0.3 CFS	

Location of Point(s) of Diversion:

GREEN WILLOW SPRINGS	SESE	Sec. 17	Township 10S	Range 40E	CARIBOU County
BLACK CANYON SPRING	SESE	Sec. 17	Township 10S	Range 40E	CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU 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>
10S	40E	29		NENE			NWNE			SENE				

Conditions of Approval:

1. || TRANS #1102. P/U, AC IRR=15.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

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: 11

Generic Max Rate per Acre:

Generic Max Volume per Acre:

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

10/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-608

Owner Type | Name and Address

Current Owner | RALPH T HANSEN
RT 1 BOX 89
GRACE, ID 83241

Original Owner | JOSEPH HANSEN

Priority Date: 06/28/1895

Basis: Decreed

Status: Active

Source | Tributary

NETTIE SPRINGS | BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.3 CFS	
Total Diversion			0.3 CFS	

Location of Point(s) of Diversion:

NETTIE SPRINGS | SESE | Sec. 17 | Township 10S | Range 40E | CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU 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>
10S	40E	29		NENE			NWNE			SENE				

Conditions of Approval:

1. || TRANS #1102. P/U, AC IRR=15.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

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: 11

Generic Max Rate per Acre:

Generic Max Volume per Acre:

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

10/14/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-610

Owner Type | Name and Address

Current Owner | RALPH T HANSEN
RT 1 BOX 89
GRACE, ID 83241

Original Owner | JOSEPH HANSEN

Priority Date: 06/28/1895

Basis: Decreed

Status: Active

Source | Tributary

SPRINGS | BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.1 CFS	
Total Diversion			0.1 CFS	

Location of Point(s) of Diversion:

SPRINGS | SESE | Sec. 17 | Township 10S | Range 40E | CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU 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>
10S	40E	29		NENE			NWNE			SENE				

Conditions of Approval:

1. || TRANS #1102. P/U, AC IRR=5.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

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: 11

Generic Max Rate per Acre:

Generic Max Volume per Acre:

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

10/16/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-2072

Owner Type | Name and Address

Current Owner | RALPH T HANSEN
RT 1 BOX 89
GRACE, ID 83241

Original Owner | JOSEPH L HANSEN

Priority Date: 06/09/1917

Basis: License

Status: Active

Source | Tributary
SPRINGS | BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	/	/	2 CFS	
Total Diversion			2 CFS	

Location of Point(s) of Diversion:

SPRINGS | SESE | Sec. 17 | Township 10S | Range 40E | CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU 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>
10S	40E	29		NENE	40		NWNE	30		SENE	30			

Total Acres: 100

Conditions of Approval:

1. || TRANS. NO. 1102.

Dates:

Licensed Date: 09/13/1920

Decreed Date:

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:

Owner Name Connector:

Water District Number: 11

Generic Max Rate per Acre:

Generic Max Volume per Acre:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

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

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by CH Date 5/28/20 Preliminary check by _____ Date _____

Fee paid \$ 325 Date 5/15/20 Received by MP Receipt # E045908

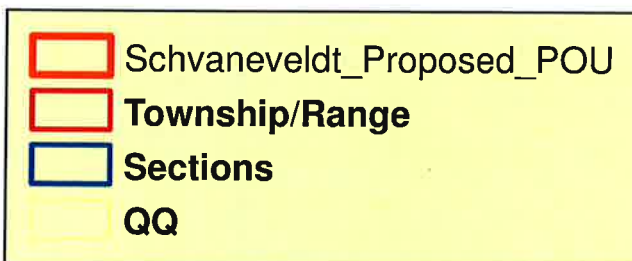
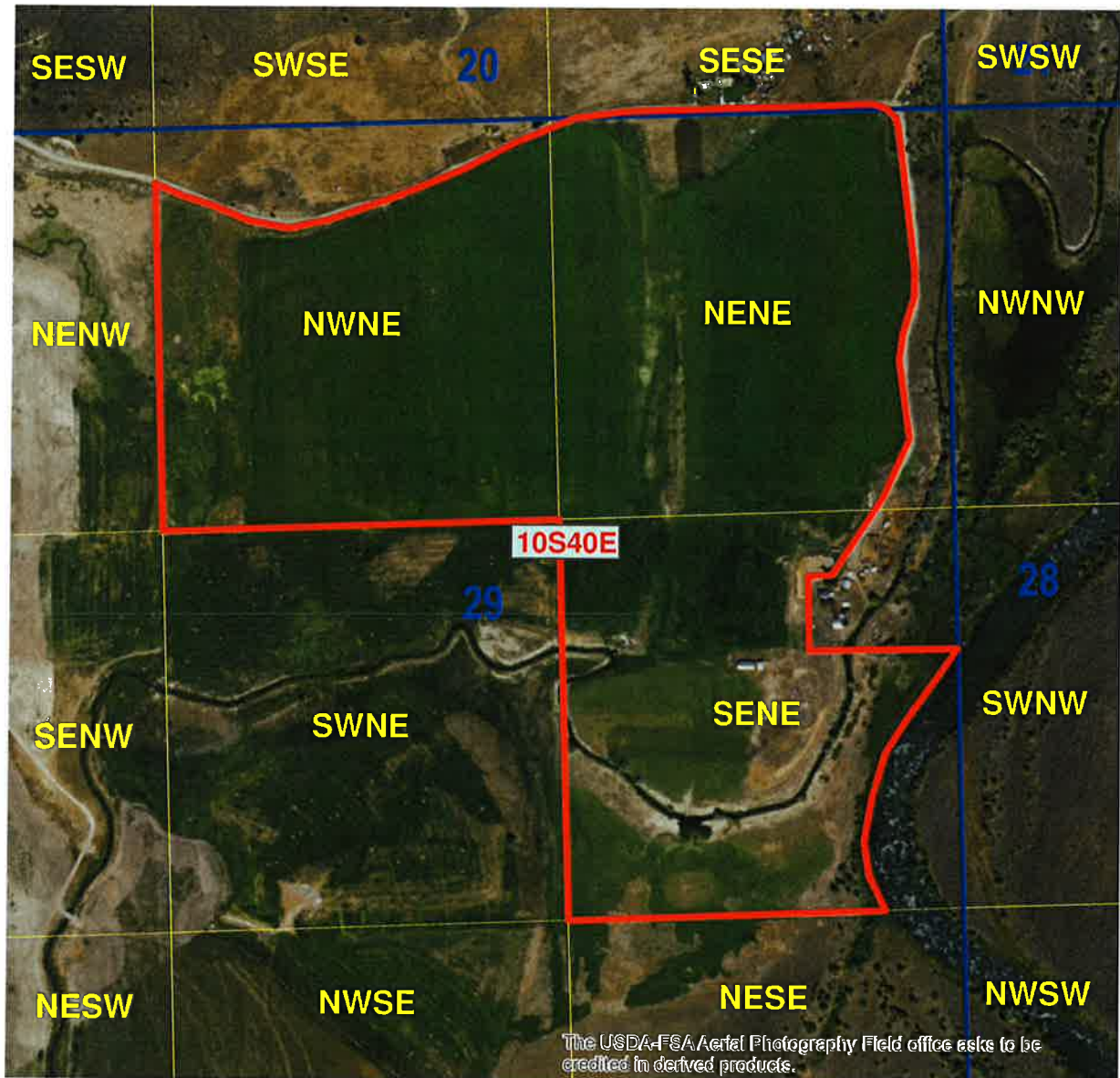
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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

Page 6

8 4 1 7 5

Application for Transfer Wade & Kirsten Schvaneveldt



0 500 1,000 Feet



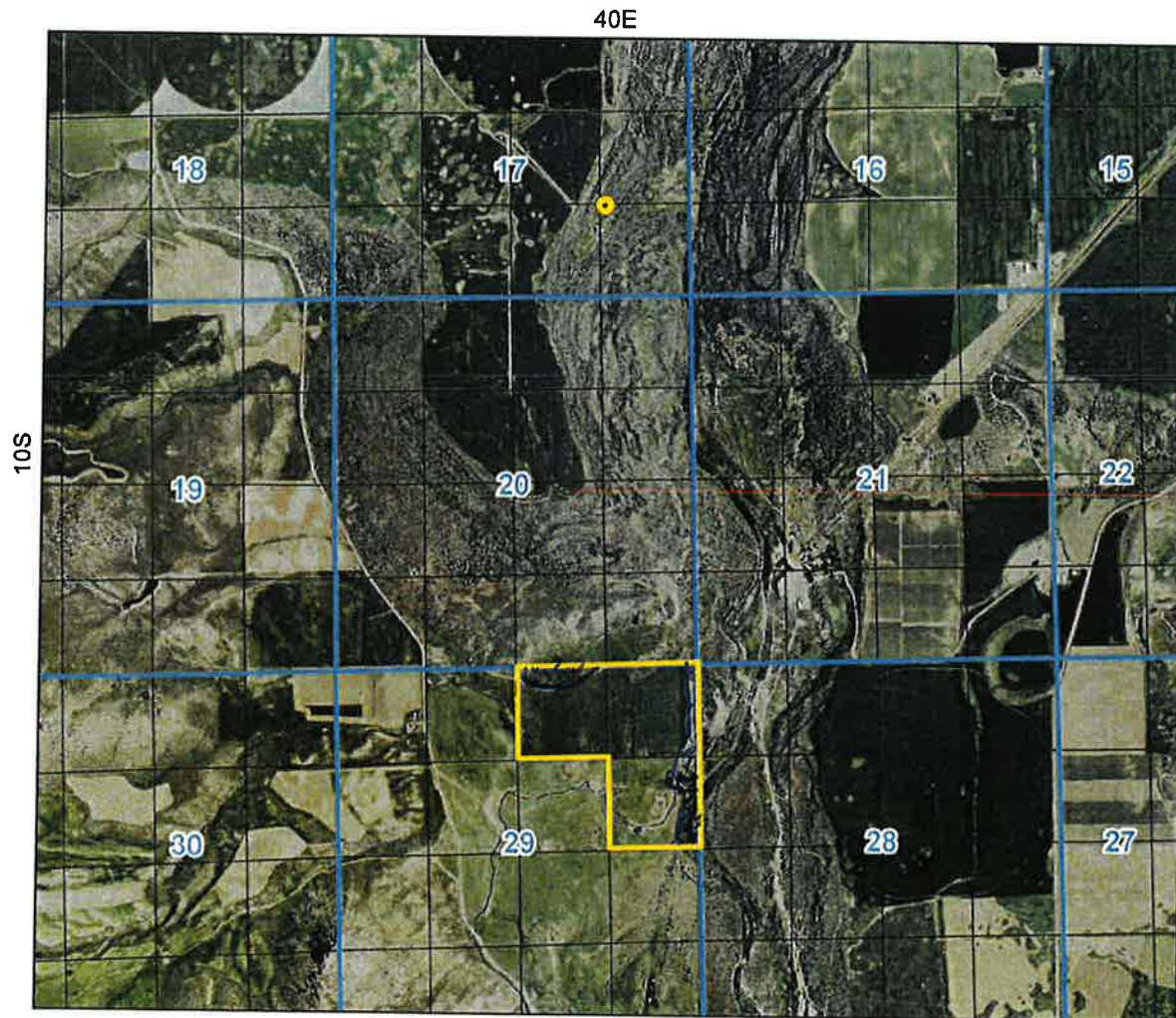
State of Idaho
Department of Water Resources

Water Right

13-610, 608, 606, 603, 2072

IRRIGATION

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



- Point of Diversion
 - Place Of Use Boundary - *see detailed map.*
 - Townships
 - PLS Sections
 - Quarter Quarters
- 0 0.325 0.65 1.3 Miles
- N

Map produced on October 14, 2019

84175

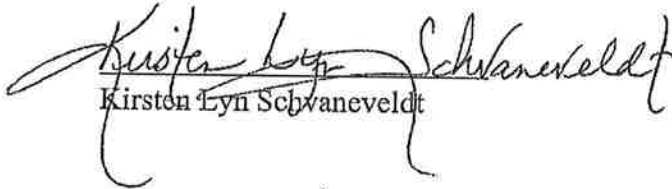
SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints Randall C. Budge and the law firm of RACINE OLSON, PLLP, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204 (the "Firm"), its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow the Firm to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf.

DATED this 26th day of May, 2020.



Wade Lee Schvaneveldt

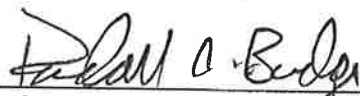


Kirsten Lyn Schvaneveldt

STATE OF IDAHO)
 : ss.
County of BANOCK)

This record was acknowledged before me on this 26th day of MAY, 2020, by Wade Lee Schvaneveldt and Kirsten Lyn Schvaneveldt.




NOTARY PUBLIC FOR IDAHO
My Commission Expires: 10/11/2024

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Ralph T. Hansen)

of)

R. R. #1, Box 89)

Grace, Idaho)

ORDER GRANTING TRANSFER

NO. 1102

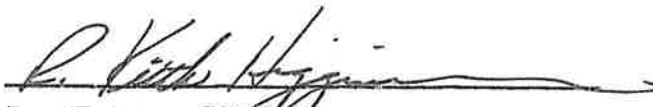
For a Transfer of Water Right in the)
County of Caribou, State of Idaho;)

WHEREAS, On the 15th day of April, 1968, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Ralph T. Hansen of Grace, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 14TH day of May, 1968.


R. KEITH HIGGINSON
State Reclamation Engineer

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1102

THIS IS TO CERTIFY, That Ralph T. Hansen of R. R. #1, P. O. Box 89, Grace, Idaho, is the owner of and using a certain water right as follows: 3.0 cubic feet per second of the waters of China Springs, unnamed springs, Green Willow Springs, and Nettie Springs, said water being obtained by virtue of License No. 12112, issued by the State of Idaho, Department of Reclamation, dated September 13, 1920, bearing priority date of June 9, 1917, and by virtue of a decree granted to Percy G. Turner and Joseph Hansen by decree of Judge Dietrich of the U. S. District Court, Eastern Division Judicial District of the State of Idaho, in and for the County of Caribou, in the case of:

UTAH POWER & LIGHT COMPANY

vs

LAST CHANCE CANAL CO., LTD., ET AL,

said decree dated July 14, 1920, bearing priority date of June 28, 1895, for the purpose of irrigating the following described lands situate, lying, and being in Water District No. 5, County of Caribou, State of Idaho, to wit:

NE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in File 5-1;

That said Ralph T. Hansen has become the owner of said water right by mesne conveyance from original licensee and former owner;

That said water is now diverted from said springs through the Hansen and Elsmore Ditch at the following described points:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 20,
T. 10 S, R. 40 E, B.M.

And that now upon the application of Ralph T. Hansen for the transfer of 3.0 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 3.0 cubic feet per second of the waters of these springs upon the above described lands is hereby abandoned and the lands hereafter to be irrigated are described as follows, to-wit:

N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

That said water is to be limited at any given time to an amount actually beneficially used for such purposes and shall not exceed the following amount, to-wit:

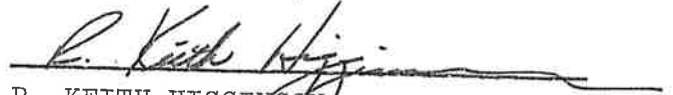
2.0 cubic feet per second of the waters of Black Canyon Springs with priority of June 9, 1917; and 1.0 cubic feet per second of the waters of Black Canyon Springs with priority of June 28, 1895;

And the water right hereby transferred will hereafter be conducted to the last described lands as provided by the laws of the State of Idaho;

This certificate is issued subject to the following conditions:

- 1) A permanent control valve be installed and maintained for use of the watermaster in regulating the distribution of the springs.
- 2) A permanent flow meter be installed and maintained for the use of the watermaster in regulating the distribution of the springs.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 14th day of May, 1968.


R. KEITH HIGGINSON
State Reclamation Engineer

In the District Court of the United States for the
District of Idaho, Eastern Division.

UTAH POWER & LIGHT COMPANY,

Plaintiff

vs.

THE LAST CHANCE CANAL COMPANY,
Limited, et. al.

Defendants.

In Equity

No. 203.

FINAL DECREE

Before HON. F. S. DIETRICH,
District Judge.

Filed July 14, 1920.

W. D. McREYNOLDS,
Clerk.

By PEARL ZANGER,
Deputy.

DATE OF PRIORITY	AMOUNT IN SECOND FEET	POINT OF DIVERSION AND PLACE OF USE
226. <i>Leland S. Williams and Geo. A. L. Williams:</i> 1878—May 1	0.1 c.f.s.	Said water to be diverted from said Soda Creek through a ditch diverting therefrom in the Southwest quarter of Southwest quarter Section 6, Township 9 South, Range 42 E., B. M., for the irrigation of 5 acres of land in the Southwest quarter of the Southwest quarter of said Section 6.
227. <i>Abraham C. Anderson, Jessie P. Anderson, David Anderson, Nels Anderson:</i> 1891—June 1	0.3 c.f.s.	To be diverted from said Soda Creek at a point 200 yards below the intake of the Farmers Land & Irrigation Company's canal in the Northwest quarter of the Northeast quarter of Section 12, Township 9 South, Range 41 East, B. M., for the irrigation of 32 acres of land in the Southwest quarter of said Section 12.

SECOND CREEK

228. <i>Arthur Collins:</i> 1891—June 1	0.3 c.f.s.	To be diverted from said Second Creek through a ditch diverting therefrom about 15 rods North of the North line of the Northwest quarter of Section 11, Township 9 South, Range 41 East, B. M., for the irrigation of 80 acres in the Northwest quarter and the South half of the North half of the Southwest quarter of Section 11, said Township and Range.
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COWHAVEN SPRINGS

In the Northeast quarter of the Southeast quarter of Section 20, Township 10 South, Range 40 East, B. M.

229. <i>Percy G. Turner:</i> 1890—May 1	1.0 c.f.s.	To be diverted at the said springs for the irrigation of 50 acres of land in the Southeast quarter of the Southwest quarter, and the Southwest quarter of the Southeast quarter of Section 20, Township 10 South, Range 40 East.
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CHINA SPRINGS

In the Northwest quarter of the Southwest quarter of Section 20, Township 10 South, Range 40 East, B. M.

230. <i>Ethel H. Ellsmore:</i> 1895—June 28	0.6 c.f.s.	To be diverted from said springs for the irrigation of 30 acres of land in the East
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Transfr
#1102

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

231. *John W. Harris:*
1895—June 28

1.4 c.f.s.

half of the Northwest quarter and the North half of the Northeast quarter of Section 29, and the Southwest quarter of the Southwest quarter of Section 21, Township 10 South, Range 40 East, B. M.

To be diverted from said springs for the irrigation of 70 acres of land in the West half of the Southwest quarter of Section 29, Township 10 South, Range 40 East, B. M.

232. *Joseph Hansen:*
1895—June 28

0.3 c.f.s.

To be diverted from said springs for the irrigation of 15 acres of land in the South half of the Northeast quarter of Section 29, Township 10 South, Range 40 East, B. M.

233. *Frank W. Harris (successor in interest to Alex Harris):*
1895—June 28

0.6 c.f.s.

To be diverted from said springs for the irrigation of 30 acres of land in the North half of the Northwest quarter of Section 29, Township 10 South, Range 40 East, B. M.

GREEN WILLOW SPRINGS

In the Northeast quarter of Section 20, Township 10 South, Range 40 East, B. M.

234. *Ethel H. Ellsmore:*
1895—June 28

0.5 c.f.s.

To be diverted from said springs for the irrigation of 25 acres of land in the East half of the Northwest quarter, and the North half of the Northeast quarter, of Section 29, and the Southwest quarter of the Southwest quarter of Section 21, Township 10 South, Range 40 East, B. M.

Transfer #1102
235. *Joseph Hansen:*
1895—June 28

0.3 c.f.s.

To be diverted from said springs for the irrigation of 15 acres of land in the South half of the Northeast quarter of Section 29, Township 10 South, Range 40 East.

NETTIE SPRINGS

In the Northeast quarter of Section 20, Township 10 South, Range 40 East, B. M.

236. *Ethel H. Ellsmore:*
1895—June 28

0.5 c.f.s.

To be diverted from said springs for the irrigation of 25 acres of land in the East half of the Northwest quarter, and the North half of the Northeast quarter of Sec-

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

tion 29, and the Southwest quarter of the Southwest quarter of Section 21, Township 10 South, Range 40 East, B. M.

(237) *Joseph Hansen:*
1895—June 28

0.3 c.f.s.

To be diverted from said springs for the irrigation of 15 acres of land in the South half of the Northeast quarter of Section 29, Township 10 South, Range 40 East, B. M.

UNNAMED SPRINGS

In the Southeast quarter of Section 20, Township 10 South, Range 40 East, B. M.

238. *Ethel H. Ellsmore:*
1895—June 28

0.2 c.f.s.

To be diverted from said springs for the irrigation of 10 acres of land hereinabove described under China Springs.

(239) *Joseph Hansen:*
1895—June 28

0.1 c.f.s.

To be diverted from said springs for the irrigation of 5 acres of land hereinabove described under China Springs.

DENSMORE CREEK

240. *William Larkins and Dora Larkins:*
1882—May 1

1.4 c.f.s.

To be diverted from said creek in the Southwest quarter of the Southeast quarter of Section 6, Township 11 South, Range 40 East, B. M., for the irrigation of 70 acres of land in said Section 6.

241. *George M. Smith and Mary E. Smith:*

1900—May 1

1.2 c.f.s.

To be diverted from said creek in the Northwest quarter of the Northeast quarter of Section 2, Township 11 South, Range 39 East, B. M., for the irrigation of 60 acres of land in the Southeast quarter of Section 1, said Township and Range.

BEAVER DAM CREEK

A tributary of Densmore Creek.

242. *Ethel H. Ellsmore:*
1882—May 1

0.5 c.f.s.

For the irrigation of 25 acres of land in the Southeast quarter of the Northwest quarter, and the Northeast quarter of the Southwest quarter of Section 32, Township 10 South, Range 40 East, B. M.

243. *William Larkins and Dora Larkins:*
1882—May 1

1.3 c.f.s.

For the irrigation of 65 acres of land in the Southeast quarter of Section 6, and the Northwest quarter of the Southwest quar-



RECEIVED

MAY 28 2020

Department of Water Resources
Eastern Region

RANDALL C. BUDGE
randy@racineolson.com
Tessa Sparrow, Legal Assistant
tessa@racineolson.com

May 26, 2020

James Cefalo
Idaho Department of Water Resources
Eastern Region Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

**Re: Wade and Kirsten Schvaneveldt Water Right Transfer
Application**

Dear James:

Enclosed please find the original and two extra copies of Transfer Application. No additional filing fees are being submitted based on our understanding the filing fees for the Transfer will be \$200 plus an additional \$125 for ownership change on the five rights, a total of \$325. This amount can be paid with the \$500 check previously submitted with the balance refunded. Please file and process the original and conform stamp and return the extra copies to me and to the Schvaneveldts in the enclosed stamped and addressed return envelopes.

Thank you for your assistance and don't hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Randy Budge', written over a faint circular stamp.

RANDALL C. BUDGE

RCB:ts
Enclosures
c: Wade and Kirsten Schvaneveldt

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 15 2020
Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
13-603	Yes ☒	Yes ☐		Yes ☐	Yes ☐
13-606	Yes ☒	Yes ☐		Yes ☐	Yes ☐
13-608	Yes ☒	Yes ☐		Yes ☐	Yes ☐
13-610	Yes ☒	Yes ☐		Yes ☐	Yes ☐
13-2072	Yes ☒	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Ralph T. Hansen
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Wade Lee Schvaneveldt and Kirsten Lyn Schvaneveldt
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 602 Grace Id 83241
Mailing address City State ZIP
- 208-709-4987 _____
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: October 30, 2018
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 ☐ \$25 per *undivided* water right.
 ☐ \$100 per *split* water right.
 ☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Randall C. Burkey Attorney For Applicants 10/25/19
Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by M. Pettis Date 5-15-20 Receipt No. E045908 Receipt Amt. 500.00
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by _____ Processed by _____ Date _____

**CARIBOU COUNT , ASSESSOR****AARON V COOK**159 S MAIN STREET
SODA SPRINGS, ID 83276
ACOOK@CO.CARIBOU.ID.US**2019****ASSESSMENT NOTICE****THIS IS NOT A BILL
DO NOT PAY**

Parcel Description:

TR NW1/4NE1/4, TR E1/2NE1/4,
TR NE1/4SE1/4, 110.6 AC,
SEC 29, T10SR40EFor any questions, please notify the Assessor's Office immediately.
Assessor's Telephone Number: **(208) 547-4749**

Parcel Address: GRACE ID 000-

Appeals of your property value must be filed in
writing, on a form provided by the county, by
June 24, 2019SCHVANEVELDT WADE LEE
SCHVANEVELDT KRISTEN LYN
PO BOX 602
GRACE ID 83241

Tax Code Area : 10-10

Parcel Number: **10S40E290000****ASSESSED VALUE OF YOUR PROPERTY**

CATEGORY & DESCRIPTION	CURRENT ACRES	LAST YEAR VALUE	CURRENT VALUE
1 IRRIGATED AGRICULTURAL	85.000	39,950	49,300
4 MEADOW	11.300	2,780	2,882
5 DRY GRAZING	7.400	777	814
19 WASTE LAND	6.900	0	0
32 RURAL IMPROVEMENT		1,000	1,000
SUBTOTAL	110.600	44,507	53,996
LESS HOMEOWNER'S EXEMPTION		0	0
NET TAXABLE PROPERTY VALUE		44,507	53,996

TAXING DISTRICT INFORMATION

TAXING DISTRICTS	DISTRICT TELEPHONE #	DATE OF PUBLIC BUDGET HEARING
COUNTY	(208) 547-4324	August 26, 2019
SCHOOL DIST #148	(208) 425-3984	June 12, 2019
THATCHER CEMETERY	(208) 221-6556	August 22, 2019
GRACE LIBRARY	(208) 425-3695	July 29, 2019

THIS IS NOT A BILL. DO NOT PAY.**84175**

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
241 S Main Street Suite 1
Soda Springs, ID 83276

Instrument # 201833

CARIBOU COUNTY, IDAHO

11-02-2018 09:40:05 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE CO, INC - SODA

Denise Horsley Fee: \$15.00

Ex-Officio Recorder Deputy *Denise Horsley*

Index to: WARRANTY DEED

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **704227SOD (ch)**

Date: **October 30, 2018**

For Value Received, **Berdell C. McCurdy and Juanita McCurdy, Trustees of The Berdell and Juanita McCurdy Living Trust Dated April 29, 2014**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Wade Lee Schvaneveldt and Kirsten Lyn Schvaneveldt, husband and wife**, hereinafter called the Grantee, whose current address is **P.O. Box 602, Grace, ID 83241**, the following described premises, situated in **Caribou County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 10/30/2018

Warranty Deed
- continued

File No.: 704227SOD (ch)

The Berdell and Juanita McCurdy Living Trust
Dated April 29, 2014

Berdell C. McCurdy
Berdell C. McCurdy, Trustee

Juanita McCurdy
Juanita McCurdy, Trustee

STATE OF Idaho)
COUNTY OF Caribou)
SS.

On this 31st day of November, 2018, before me, a Notary Public in and for said State, personally appeared **Berdell C. McCurdy and Juanita McCurdy**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as trustees of the **Berdell and Juanita McCurdy Living** Trust, and acknowledged to me that they executed the same as such trustees.



Carla Hale
Notary Public of Idaho
Residing at: Soda Springs, Idaho
Commission Expires: 12/12/2020

EXHIBIT A

Township 10 South, Range 40 East of the Boise Meridian, Caribou County, Idaho:

Section 29: E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$,

EXCEPT THEREFROM, Beginning at a point which is North 89°06' West 1100 feet, and Thence South 0°54' West 30 feet from the Northeast corner of said Section 29, and running Thence South 71°54' West 1073 feet along the North bank of an irrigation ditch; Thence North 78°05' West 458 feet; Thence North 0°54' East 286 feet; Thence South 89°06' East 1459.5 feet, to the Point of Beginning.

ALSO EXCEPT THEREFROM, Beginning at a point 1600 feet South of the Northeast corner of Section 29, and running Thence West 470 feet; Thence South 250 feet Thence East 470 feet; Thence North 250 feet, to the Point of Beginning.

ALSO EXCEPT THEREFROM, A parcel of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, Township 10 South, Range 40 East, Boise Meridian, Caribou County, Idaho. Described more particularly as follows:

Basis of Bearings: the Central Meridian of the East Zone of the Idaho State Plane Coordinate System.

Commencing at the One-Quarter Corner common to Section 29 and 28, the True Point of Beginning.

Thence North 89°13'22" West along the latitudinal centerline of said Section 29, a distance of 169.53 feet to a point of intersection with the center line of Bear River; Thence along said centerline of Bear River by the following four (4) courses: North 28°23'05" West a distance of 37.90 feet; North 04°36'28" West a distance of 280.53 feet; North 17°24'08" East a distance of 198.10 feet; Thence North 32°23'54" East a distance of 300.69 feet to a point of intersection with the East line of said Section 29; Thence South 00°48'38" West along said East line of Section 29, a distance of 758.26 feet, to the One-Quarter Corner common to section 29 and 28, the TRUE POINT OF BEGINNING.

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Instrument # 178071

CARIBOU COUNTY

2007-05-01

11:23:16 No. of Pages: 4

Recorded for : CARIBOU TITLE

VEDA MASCARENAS

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Fee: 12.00

J. Housley

(Space Above For Recorder's Use)

WARRANTY DEED

For the consideration of ten dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, BERDELL C. MCCURDY and JUANITA H. MCCURDY, husband and wife ("Grantors"), convey, grant and warrant to SAGEBRUSH STEPPE REGIONAL LAND TRUST, INC., an Idaho non-profit corporation, ("Grantee"), whose address is P.O. Box 1404, Pocatello, Idaho 83201 and its successors and assigns forever, the following real property:

Approximately two and seven-tenths (2.70) acres, located in Caribou County, Idaho, a legal description and map of which is contained in Exhibit A, attached hereto and made a part hereof.

SUBJECT TO taxes and assessments for the year 2007 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described as well in law as in equity.

The Grantors covenant to the Grantee that Grantors are the owners in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantors will warrant and defend the same from all lawful claims.

The Grantors do hereby release and/or waive, any and all rights under, and by virtue of, the homestead exemption laws of the State of Idaho, insofar as any of such rights affect the conveyance set forth herein.

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 1st day of ~~April, 2007.~~ May, 2007.

Berdell C. McCurdy
Berdell C. McCurdy, Grantor

Juanita H. McCurdy
Juanita H. McCurdy, Grantor

[illegible]

On this 1st day of ~~April~~^{May}, 2007, before me Kena Ann Moore, personally appeared Berdell C. McCurdy, 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.


NOTARY PUBLIC FOR IDAHO
Residing at Soda Springs, Idaho
My Commission Expires 7/18/09

STATE OF IDAHO)
) ss.
County of Caribou)

On this 1st day of ~~April~~ ^{May}, 2007, before me Kena Ann Moore, personally appeared Juanita H. McCurdy, 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.



 NOTARY PUBLIC FOR IDAHO
 Residing at Soda Springs, Idaho
 My Commission Expires 7/18/09

KENA ANN MOORE
NOTARY PUBLIC
STATE OF IDAHO

For
Sagebrush Steppe Regional Land Trust

McCURDY – PURCHASE (thread of river to east and north property boundary)

A parcel of land located in the southeast one-quarter, northeast one-quarter, Section 29, Township 10 South, Range 40 East, Boise Meridian, Caribou County, Idaho. Described more particularly as follows:

Basis of Bearings: the Central Meridian of the East Zone of the Idaho State Plane Coordinate System.

Commencing at the one-quarter corner common to Sections 29 and 28, the **TRUE POINT OF BEGINNING**.

Thence N. 89°13'22" W. along the latitudinal centerline of said Section 29, a distance of 169.53 feet to a point of intersection with the center line of Bear River; thence along said centerline of Bear River by the following four (4) courses:

N. 28°23'05" W. a distance of 37.90 feet;

N. 04°36'28" W. a distance of 280.53 feet;

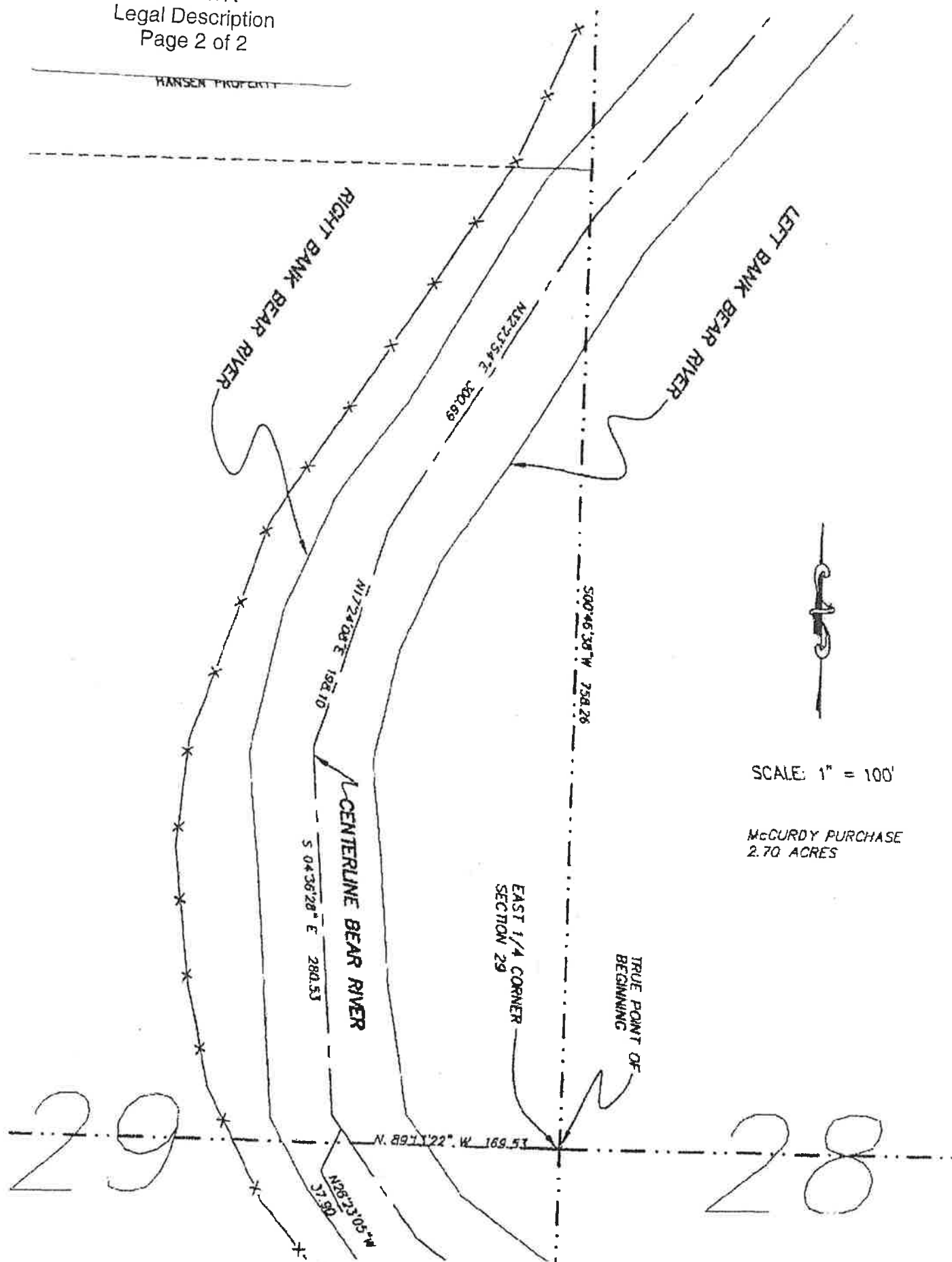
N. 17°24'08" E. a distance of 198.10 feet;

N. 32°23'54" E. a distance of 300.69 feet to a point of intersection with the east line of said Section 29; thence S. 00°48'38" W., along said east line of Section 29, a distance of 758.26 feet to the one-quarter corner common to Sections 29 and 28, the **TRUE POINT OF BEGINNING**.

Contains 2.70 acres



Exhibit A
Legal Description
Page 2 of 2



May 12, 2020

James Cefalo
Idaho Department of Water Resources
Eastern Region Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Re: Wade and Kirsten Schvaneveldt Water Rights

Dear James:

Enclosed please find the original and two extra copies of a Notice of Change in Water Right Ownership, together with a check for filing fees in the amount of \$500 to split water right nos. 13-603, 606, 608, 610 and 2072, appurtenant to the Schvaneveldt's property. Please file and process the original and conform stamp and return the extra copies to me and to the Schvaneveldts in the enclosed stamped and addressed return envelopes. The attachments to the Application include the following:

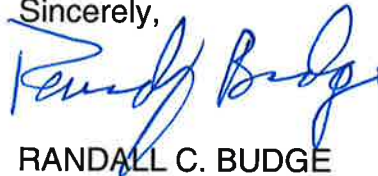
1. 2019 Caribou County Tax Assessment Notice evidencing the Schvaneveldt's ownership of the property.
2. Warranty Deed Instrument No. 203833 pursuant to which the Schvaneveldts acquired ownership of the property on October 30, 2018.
3. Water Right Reports for each of the water rights.
4. Maps depicting the point of diversion and place of use.
5. Order Granting Transfer No. 1102 entered May 14, 1968.
6. Copy of pages 55-57 of the Dietrich Decree reflecting the rights as originally decreed.
7. Warranty Deed to Sagebrush Steppe Regional Land Trust providing the description for their 2.7 acre parcel located in the SE1/4NE1/4 Section 29.

The water rights were originally decreed appurtenant to the acres located in the N1/2NE1/4 and SE1/4NE1/4 of Section 29, T10S, R40E, B.M. The Schvaneveldts own all of that property excepting the 2.7 acre Sagebrush Steppe Regional Land Trust parcel, old abandoned home located in the SE1/4NW1/4 and a small parcel north of the road located in the NW1/2 of the NW1/4SE1/4 of Section 9.

While the Decree described the place of use as 120 acres of which approximately 110 are now owned by the Schvaneveldts the number of irrigated acres identified in the Decree that are actually irrigated are all within the property owned by the Schvaneveldts. The other three small parcels which they did not acquire have never been irrigated and Schvaneveldts claim that all of these water rights are entirely upon their property and should not be proportionately split. The Schvaneveldts sought but have not been able to successfully obtain water right quitclaim deeds from the owners of the other three parcels. While the Schvaneveldts understand that the Department will proportionately split all of the water rights for purposes of this ownership change, they wish to expressly provide this notice that they claim ownership of all of the water rights and intend to assert that if and when the Bear River is readjudicated in the future.

Thank you for your assistance and don't hesitate to contact me if you have any questions.

Sincerely,



RANDALL C. BUDGE

RCB:ts

Enclosures

c: Wade and Kirsten Schvaneveldt



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 25, 2020

TRAPPETT RANCH LLC
1676 RALPH HANSEN LN
GRACE ID 83241

Re: Transfer of Water Right Nos. 13-603, 13-606, 13-608, 13-610, & 13-2072

To Whom It May Concern:

This letter is meant to notify you of an Application for Transfer recently filed with IDWR involving the water rights listed above. The Application for Transfer seeks to update the ownership and rearrange the place of use of these water rights.

Department records indicate that these rights may be appurtenant to your property. The transfer applicants, Wade Lee and Kirsten Schvaneveldt, assert full ownership of the water rights. However, the Department is providing you direct notice of the transfer in order to give you the opportunity to demonstrate your interest in the rights. Typically, interest in water rights includes evidence of ownership and active usage (i.e. within the past five years) of the rights. But any evidence that you provide will be considered.

If you believe you have an interest in the water rights, you should consider filing a Notice of Change in Water Right Ownership with the Department and/or filing a protest to the transfer application. These forms can be found on the Department's website at idwr.idaho.gov.

Please contact me if you would like to discuss this matter in greater detail. If we do not receive a protest from you by July 13, 2020, we will assume that you have no objection to the proposed transfer.

Sincerely,

Michael Holliday
Water Rights Supervisor
(208) 525-7161

Attachment: Application for Transfer No. 84175



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 25, 2020

TOM A HANSEN
PO BOX 128
RIVERSIDE UT 84334-0128

Re: Transfer of Water Right Nos. 13-603, 13-606, 13-608, 13-610, & 13-2072

To Whom It May Concern:

This letter is meant to notify you of an Application for Transfer recently filed with IDWR involving the water rights listed above. The Application for Transfer seeks to update the ownership and rearrange the place of use of these water rights.

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Sincerely,

Michael Holliday
Water Rights Supervisor
(208) 525-7161

Attachment: Application for Transfer No. 84175

Henman, Christina

From: Henman, Christina
Sent: Wednesday, June 24, 2020 4:34 PM
To: IdwrPayable
Subject: Refund Request 6/24
Attachments: E045908.pdf

Hello,

I need a refund for the following:

Amount: \$175.00
Receipt: E045908
Reason: See below email
Recipient:
Racine Olson PLLP
PO Box 1391
Pocatello, ID 83204-1391

Thank You,

Christina Henman

From: Holliday, Michael
Sent: Wednesday, June 24, 2020 4:25 PM
To: Henman, Christina <Christina.Henman@idwr.idaho.gov>
Subject: partial refund

Hi Christina.

An ownership change was recently filed to split 5 water rights, so \$500 was paid. The receipt no. is E045908. It was determined that the water rights did not need to be split, but they also filed transfer 84175 to change the place of use of the same rights. The cost for the ownership change is \$125, and the transfer fee is \$200. Therefore, they need a refund of \$175. Would you please request a refund? Thanks.

Michael Holliday
Water Rights Supervisor
Phone: 208-525-7161
Fax: 208-525-7177

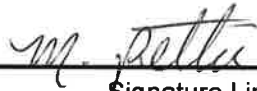
Idaho Department of Water Resources Receipt

Receipt ID: E045908

Payment Amount	\$500.00	Date Received	5/15/2020	Region	EASTERN
Payment Type	Check	Check Number	4537		
Payer	RACINE OLSON PLLP				
Comments	Notice of change in WR Ownership 13-603, 13-606, 13-608, 13-610, 13-2072				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$500.00	OWNERSHIP CHANGES/SECURITY INTERESTS	63140	0229	21		1155



Signature Line (Department Representative)