

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 83892**

This is to certify that: **LEGG RANCH LLC**  
13221 W BELLFLOWER DR  
BOISE, ID 83713-1345

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Changes**

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
67-2227	WR/DECREED	3/24/1953	1.230 cfs	N/A	N/A	60.0	LITTLE WEISER RIVER

**Purpose of Transfer (Changes Proposed)**

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
67-2227	NO	YES	YES	NO	NO	NO

**Summary Of Water Rights After the Approved Change**

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
67-2227	67-2227	1.230 cfs	N/A	N/A	60.0	N/A	N/A	N/A	N/A	N/A
<b>COMBINED TOTALS</b>		<b>1.230 cfs</b>	<b>N/A</b>	<b>N/A</b>	<b>60.0</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 22 day of MAY, 2020.

for *Danille Kelly*  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 67-2227****As Modified by Transfer No. 83892**

In accordance with the approval of Transfer No. 83892, Water Right No. 67-2227 is now described as follows:

**Right Holder:** LEGG RANCH LLC  
13221 W BELLFLOWER DR  
BOISE, ID 83713-1345

**Priority Date:** 3/24/1953

**Source:** LITTLE WEISER RIVER

**Tributary:** WEISER RIVER

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

03/15  
03/15

to 10/31  
to 11/15

**Diversion Rate**

1.200 cfs  
0.030 cfs  
1.230 cfs

**LOCATION OF POINT(S) OF DIVERSION**

LITTLE WEISER RIVER SWSW

Sec 13 Twp 14N Rge 03W WASHINGTON County

**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	
14N	03W	13									1.6	0.4	36.0	22.0					60.0

POU Total Acres: 60.0

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 67A.
4. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 83892

**WATER RIGHT NO. 67-2227**  
**As Modified by Transfer No. 83892**

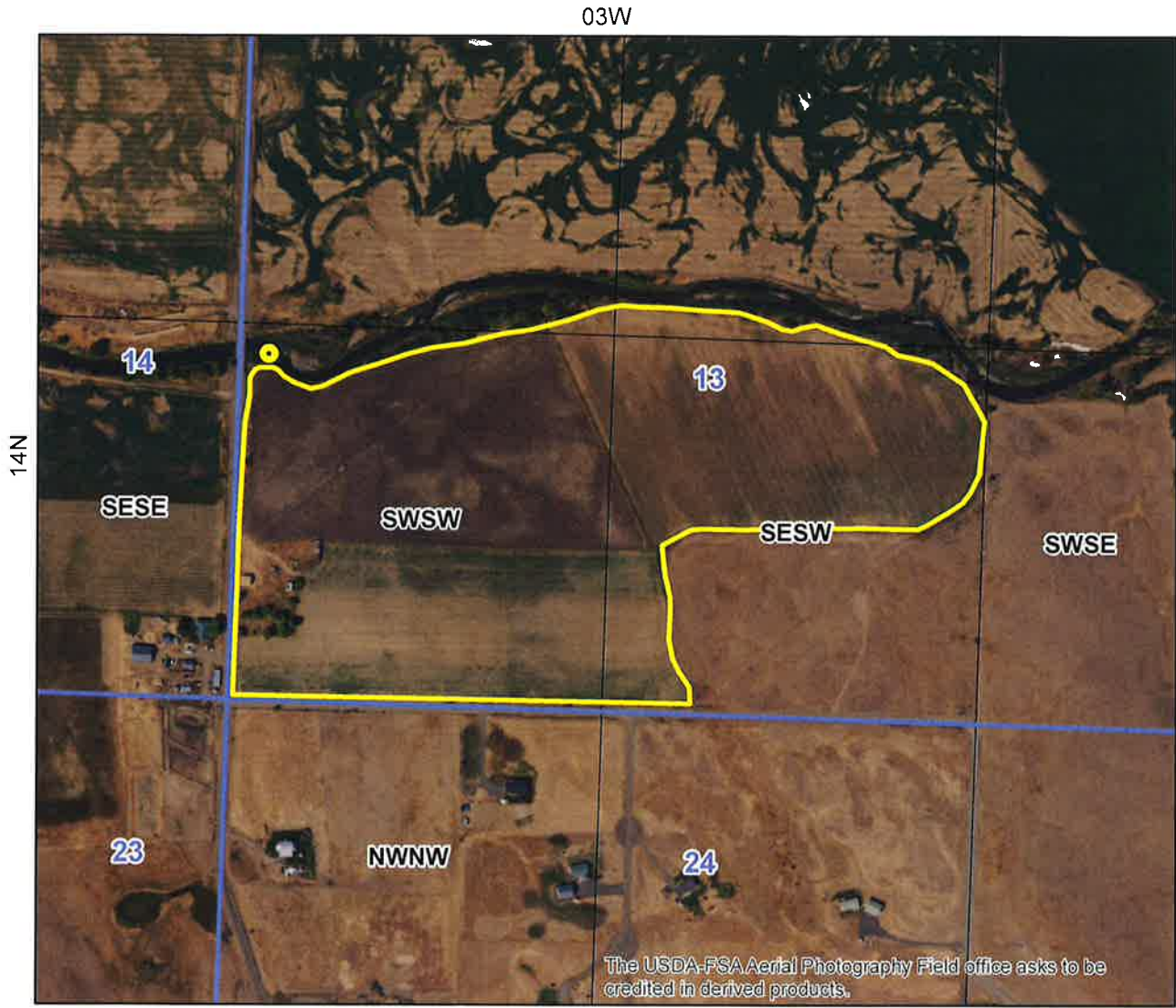
**CONDITIONS OF APPROVAL**

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



State of Idaho  
Department of Water Resources  
**Attachment to Water Right License**  
67-2227

This map depicts the IRRIGATION and STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.075 0.15 0.3 Miles



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 83892**RECEIVED**

MAY 04 2020  
AMENDED  
WATER RESOURCES  
WESTERN REGION

**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](http://idwr.idaho.gov).

Name of Applicant(s) Legg Ranch LLC

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

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

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

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

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. \*\*
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). \*\*  
\*\* Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at [idwr.idaho.gov/water-rights/transfers/resources.html](http://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 specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: \_\_\_\_\_



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Legg Ranch LLCPhone 208-412-8215Mailing address 13221 W Bellflower Dr Boise, ID 83713Email leggranch@gmail.com

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

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

☒ No Representative

Name of Representative \_\_\_\_\_

Phone \_\_\_\_\_

Mailing address \_\_\_\_\_

Email \_\_\_\_\_

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

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

Legg Ranch by Angela Ogle  
Signature of Applicant or Authorized Representative

Legg Ranch by Angela Ogle - Owner

Print Name and Title if applicable

April 26, 2020

Date

Signature of Applicant or Authorized Representative \_\_\_\_\_

Print Name and Title if applicable \_\_\_\_\_

Date \_\_\_\_\_

### A. PURPOSE OF TRANSFER

- ☒ Change point of diversion      ☐ Add diversion point(s)      ☒ Change place of use  
☐ Change nature of use      ☐ Change period of use      ☐ Other \_\_\_\_\_
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?  
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

The proposal is to change the POD to accomodate a new, more efficient watering plan which allows power poles to be removed from the field and conserves water. This is part of a NRCS program. The change to the POU is to update the records to more accurately reflect the area of usage within the water right.

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>	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input checked="" type="checkbox"/> <input type="checkbox"/>	67-2227	1.23 cfs		_____ to _____	_____
<input type="checkbox"/> <input type="checkbox"/>	_____	_____	_____	_____ to _____	_____
<input type="checkbox"/> <input type="checkbox"/>	_____	_____	_____	_____ to _____	_____
<input type="checkbox"/> <input type="checkbox"/>	_____	_____	_____	_____ to _____	_____
<input type="checkbox"/> <input type="checkbox"/>	_____	_____	_____	_____ to _____	_____
<input type="checkbox"/> <input type="checkbox"/>	_____	_____	_____	_____ to _____	_____
<input type="checkbox"/> <input type="checkbox"/>	_____	_____	_____	_____ to _____	_____
<input type="checkbox"/> <input type="checkbox"/>	_____	_____	_____	_____ to _____	_____
<input type="checkbox"/> <input type="checkbox"/>	_____	_____	_____	_____ to _____	_____

Total authorized under rights 1.23 cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.23 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 #
Y		NE	SW	SW	13	14N	03W	Washington	Little Weiser River	

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	
14N	03W	13									1.6	0.4	36	22					60
Total Acres (for irrigation use)																			60

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:

The diversion will be from a pump station and will include a flow meter to determine amount of water diverted.  
There will be a lockable controlling mechanism as part of the installed solution.

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

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

- 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: na

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:

No impact, only minor changes to more accurately reflect the POU to include a small strip of land that runs parallel to the river.

- 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:

There are an additional 1.2cfs of shares through the Cambridge Ditch Company certificate #49 to be drawn through the same diversion system and is available for use on the SWSW and SWSE quarters of section 13. Certificate attached.

- 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:





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:

na

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by LE Date 2-20-2020 Preliminary check by SN Date \_\_\_\_\_

Fee paid 950.00 Date 2-20-2020 Received by LE Receipt # W048064

Add'l fee paid 1530.00 Date 2-20-2020 Received by KT Receipt # W048084

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

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

**Current Water Right No.: 67-2227**

Current Owner: LEGG RANCH LLC  
Priority Date: 3/24/1953  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

LITTLE WEISER RIVER

**Tributary**

WEISER RIVER

<b><u>Beneficial Use</u></b>	<b><u>From To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Annual Volume</u></b>
STOCKWATER	03/15 to 11/15	0.03 CFS	
IRRIGATION	03/15 to 10/31	1.2 CFS	
	<b>Total Diversion</b>	1.23 CFS	

**Location of Point(s) of Diversion**

LITTLE WEISER RIVER NE1/4SE1/4SW1/4 Sec. 13, Twp 14N, Rge 03W B.M.  
WASHINGTON County

**Place of Use**

**IRRIGATION Within WASHINGTON County**

T14N R03W S13	SWSW	39.00	T14N R03W S13	SESW	21.00
Total Acres: 60					

Place of Use: STOCKWATER same as IRRIGATION

**Conditions of Approval:**

1. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. X02 Stockwater use is for 100 range cattle.

Decreed Date: 10/20/2008



Certificate No. 49

SHARES 60

STOCK CERTIFICATE

CAMBRIDGE DITCH COMPANY

THIS IS TO CERTIFY that Legg Ranch LLC  
Is the owner of Sixty shares of stock in the

CAMBRIDGE DITCH COMPANY

This certificate entitles the owner thereof to receive a flow of one inch or 0.02 cfs per share, if available, less transmission loss, through the Cambridge Ditch Company system, said water being appurtenant to the following described land:

Township 14 north, Range 3 West of the Boise Meridian, Section 13, of the SW 1/4 SW 1/4, SE 1/4 SW 1/4

in accordance with the terms of the Articles and By-laws of the Cambridge Ditch Company.

And this certificate also entitles the owner to a proportionate interest in the diversion works, canal, water rights and other facilities of the Cambridge Ditch Company, based upon the number of shares finally sold in accordance with the Articles and By-laws of said company.

IN WITNESS WHEREOF, the said corporation has caused its corporation name and seal to be  
hereto affixed on the 17th day of February, 2019.

ATTEST;

CAMBRIDGE DITCH COMPANY

*Ann C. Legg*

SECRETARY

*Donald M. Legg*

PRESIDENT



## STOCK CERTIFICATE RESTRICTIONS

This Stock Certificate and the water and ditch rights represented hereby may be transferred only after compliance with Article 10, Section 3 of the By-laws of the corporation.

This Stock is assessable in accordance with the Articles of Incorporation and By-laws and in addition to the other remedies provided by law, the ditch rights, water rights and the real property to which such rights are appurtenant are subject to a lien for the payment of all assessments.

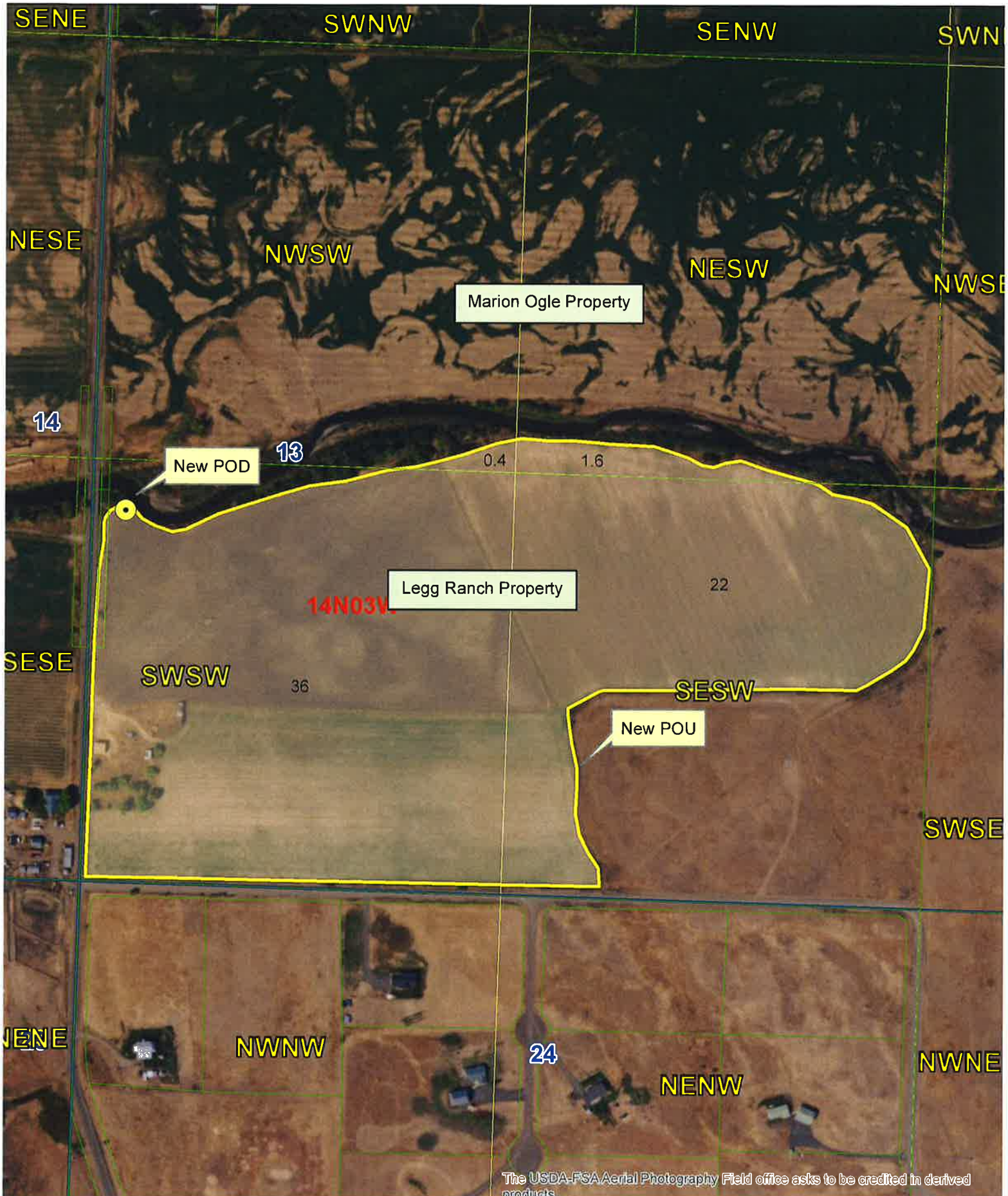
The water rights represented by this Stock Certificate are subject to actual transmission losses incurred in effecting delivery of the water to the land to which the water is appurtenant.

The water rights represented by this Stock Certificate are a portion of the Cambridge Ditch Company stock in the Lost Valley Reservoir and/or natural flow rights of the certificate holder.

If any portion of this certificate shall cover natural flow rights of certificate holder, to that extent this certificate represents only proportionate rights in the canal of the company, and with respect to said natural flow rights, the rights with a priority later than 1912 are prorated by a factor of 0.2. Each inch of flow gives the stock holder 0.2 shares of stock in the company. The company holds water right #67-7376 with a priority date of March 14, 1978. This right can be applied to any of the lands serviced by the company, so long as the total natural flow does not exceed 5/8 inch per acre.

Any natural flow rights of the certificate holder represented by this stock certificate are as follows:

# Map for Transfer 83892 67-2227



237423

237624

**RECORDATION REQUESTED BY:  
GRAVIS LAW, PLLC**

Michelle R. Finch  
390 E. Parkcenter Blvd. Ste. 200  
Boise, Idaho 83706  
Telephone: (208) 385-0800  
Email: mfinch@gravislaw.com

**Instrument # 237423**

STATE OF IDAHO, COUNTY OF WASHINGTON

12-26-2018 01:13:00 PM No. of Pages: 3

Recorded for : GRAVIS LAW PLLC

BETTY J THOMAS

Fee: 15.00

Ex-Officio Recorder Deputy Maureen McConnell

Index to: DEED

**SEND TAX NOTICES TO:**

Legg Ranch, LLC  
13221 Bellflower Dr.  
Boise, ID 83713

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

**TRUSTEE'S DEED**

FOR VALUE RECEIVED, Marion Ogle and Cindy K. Hunt, Successor Co-Trustees of the Legg Family Trust, U/T/A dated August 18, 1978, Grantor, does hereby convey, release, remise, and forever quit claim unto Legg Ranch, LLC, whose address is 13221 Bellflower Drive, Boise, Idaho 83713, Grantee, any and all of its interest in the following described premises, located at 2706 Burton Road, Cambridge, Washington County, Idaho together with their appurtenances and more particularly described as follows:

80 acres located at 2706 Burton Road, Cambridge, ID, legally described as follows:

In Washington County, Idaho:

Township 14 North, Range 3 West of the Boise Meridian:

Section 13: All that part of the SW1/4 lying South of the Little Weiser River.

SAVE AND EXCEPT a tract of land as described in deed recorded May 16, 1988, as Instrument No. 145022, official records of Washington County, Idaho. Subject to right-of-way of County Road existing along the West line.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

**Instrument # 237624**

STATE OF IDAHO, COUNTY OF WASHINGTON

1-28-2019 01:04:00 PM No. of Pages: 3

Recorded for : GRAVIS LAW PLLC

DONNA ATWOOD

Fee: 15.00

Ex-Officio Recorder Deputy Maureen McConnell

Index to: DEED

237423

237624

Dated this 31<sup>st</sup> day of December, 2018.

The Legg Family Trust

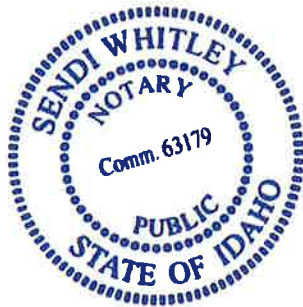
By: Marion Ogle

Marion Ogle

Successor Co-Trustee

STATE OF IDAHO )  
                                  )ss.  
County of Ada        )

On December 21, 2018, before me, personally appeared Marion Ogle, Successor Co-Trustee of the Legg Family Trust, personally known to me (or proved me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in his authorized capacity, and that by his signature on the instrument and the person, or the entity upon behalf of which the person acted, executed the instrument.



Witness my hand and official seal

Sendi Whitley

Notary Public for the State of Idaho

Residing at: Boise, Idaho

My Commission expires: 3/3/20



237423  
237624

Dated this 24 day of December, 2018.

The Legg Family Trust

By: Cindy K. Hunt  
Cindy K. Hunt  
Successor Co-Trustee

STATE OF OREGON           )  
  )ss.  
County of Multnomah       )

On December 24<sup>th</sup>, 2018, before me, personally appeared Cindy K. Hunt, Successor Co-Trustee of the Legg Family Trust, personally known to me (or proved me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in his authorized capacity, and that by his signature on the instrument and the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal

[Signature]  
Notary Public for the State of Oregon  
Residing at: Portland, Oregon  
My Commission expires: 9-6-2020



FEB 20 2020

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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

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

Check all that apply:

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

1. **APPLICANT(S)** Legg Ranch LLC Phone 208-412-8215  
 2. **MAILING ADDRESS** 13221 W Bellflower Dr City Boise  
 State Idaho Zip 83713 Email leggranch@gmail.com

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

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

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

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

3. **LIST WATER RIGHT NUMBER(S)** 67-2227

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

4. **TOTAL AMOUNT OF WATER** transferred is 1.23 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.  
 (diversion rate) (storage volume)

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

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

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y		NE	SW	SW	13	14N	03W	Washington	Little Weiser River	

Superseded by May 4 application

## 6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

The diversion system will consist of a pump attached to a floating pump station and will include a flow meter to measure the water usage

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

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

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

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

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

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at [idwr.idaho.gov](http://idwr.idaho.gov), *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

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

Legg Ranch by Angela K Ogle  
Signature of applicant or authorized agent

Legg Ranch by Angela K Ogle  
Print name and title if applicable

2-18-20  
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

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

### FOR DEPARTMENT USE ONLY

Transfer includes 3530 pages of attachments.

Received by LE

Date 02/20/2020

Fee paid \$50 Date 02/20/2020

Received by LE

Receipt # W048064

Preliminary review by SN

Date 2-21-2020

Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☐

Name on W-9

W-9 forwarded to fiscal? Yes ☐ No ☐

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

State of Idaho  
Department of Water Resources

**Water Right**  
**67-2227**

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
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles

Map produced on January 20, 2020

Superseded by May 4th app + map








83892

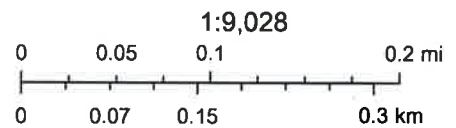


# Application for Water Right



2/9/2020, 11:54:45 AM

-  Override 1
-  Section
-  Counties
-  Township/Range
-  Quarter Quarter
-  Idaho Outline
-  Idaho Mask



**83892**

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

May 22, 2020

LEGG RANCH LLC  
13221 W BELLFLOWER DR  
BOISE ID 83713-1345

Re: Transfer No: 83892  
Water Right No(s): 67-2227

### Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Rights. Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Rights is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190

Sincerely,

A handwritten signature in blue ink, appearing to read 'Patrick Kelly', with a stylized, flowing script.

For: *Kensie Thornycroft*  
Patrick Kelly  
Water Rights Supervisor

Enclosure

## CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

**Re: Transfer No: 83892**  
**Water Right No(s): 67-2227**

LEGG RANCH LLC  
13221 W BELLFLOWER DR  
BOISE ID 83713-1345



Kensie Thorneycroft  
Administrative Assistant



## **EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

### **EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

### **REQUEST FOR HEARING**

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

### **ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

## **CERTIFICATE OF SERVICE**

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

## **FINAL ORDER**

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

## **APPEAL OF FINAL ORDER TO DISTRICT COURT**

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

## MEMORANDUM

TO: Transfer No. 83892  
FROM: Shilynn Novak  
DATE: May 7, 2020  
RE: Evaluation of Application

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The transfer proposes to move the point of diversion (POD) for water right no. 67-2227. The current location of the POD is in the SESW QQ on the Little Weiser River. The application is to move the POD to the SWSW QQ; approximately 0.5 miles to the west of the current location. After evaluation of the transfer, it was discovered the POU required changes. An amended application and supporting documentation was received May 4, 2020 which included the new POU. The new POD location will remain in the Little Weiser River.

The site is located approximately 2 miles southeast of the City of Cambridge, ID; on the south bank of the Little Weiser River.

Contact person for the applicant is Angela Ogle, the manager and registered agent for Legg Ranch, LLC (Legg Ranch). Ms. Ogle can be reached at 208-412-8215.

### Summary of Information Submitted

#### **Authority to File:**

Legg Ranch is the owner of water right no. 67-2227. Angela Ogle filed the transfer application on behalf of Legg Ranch. Ms. Ogle is listed as a manager and can sign on behalf of the company according to the Secretary of State. Legg Ranch owns the parcel that the water right is on.

#### **Water Right Validity:**

Validity is not a concern. Using aerial imagery, the area is clearly irrigated. There is some offset that appears in ArcGIS when comparing the original POU generated Nov 10, 2006 to a map made today. The place of use was updated to reflect the actual irrigated acres by Legg Ranch. This included acreage acres in the NWSW and NESW QQs. The updated POU shows the water has been used consistently with no 5 year gap of nonuse.

#### **Overlap Analysis:**

There are no overlapping POU's nor overlapping PODs. Lost Valley Reservoir Company does overlap that property which means the property may get storage water from another source, but it is not relevant to this transfer.

#### **Injury to Other Water Rights:**

No potential injury to other water rights is anticipated. Injury is unlikely as there are no PODs located between the current POD and its new location. Changes to POU are on applicant's property and has occurred for many years without complaint.

#### **Enlargement of Use:**

Enlargement is unlikely as the same amount of water will be used for the same land and will continue to pull from the same source. Aerial imagery was used to determine the proposed change in POD is not an improvement of the source.

**Local Public Interest:**

No information has been made available to suggest a conflict with public interest.

**Beneficial Use/Conservation of Water Resources:**

The application proposes beneficial use consistent with conservation of water resources in Idaho.

**The application is consistent with criteria of I. C. § 42-222 and should be processed.**

**Summary**

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.



14N03W13 Water Rights

Place of Use Comparison for Transfer 83892

WR #	Owner	Source	Use	MENE	NWNE	SWNE	SENE	MENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	TotalAcres
67-10636	MC KEE BROTHERS INC	LITTLE WEISER RIVER	IRRIGATION	38																38
67-2227	LEGG FAMILY TRUST; LEGG RANCH LLC; LEGG, ALVIN Y; LEGG, B A; LEGG, KATHLEEN L	LITTLE WEISER RIVER	IRRIGATION											39	21					71
67-2375	JAEGER, CAROL A; JAEGER, JERRY C	LITTLE WEISER RIVER	IRRIGATION			5	8									22	36			38
67-492	CROUTER, MARGARET A; MC KEE BROTHERS INC	LITTLE WEISER RIVER	IRRIGATION	38																38
67-493	DONART, J E; MC KEE BROTHERS INC	LITTLE WEISER RIVER	IRRIGATION	38																38
67-4948	ESTATE OF R H MARTIN; MC KEE BROTHERS INC	LITTLE WEISER RIVER	IRRIGATION	40	0.1		0.6													40.7
67-495	JAEGER, CAROL A; JAEGER, JERRY C	LITTLE WEISER RIVER	IRRIGATION		25.4	35	35									20	35			150.4



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

March 4, 2020

CLIFFORD CROSSLEY  
3039 MILL RD  
CAMBRIDGE ID 83610

**Re: Application for Permit No. 65-23860**

Dear Interested Party:

The above referenced application may be of interest to you. I enclosed a copy of the transfer application for your convenience. Please respond in 30 days if you have any comments regarding this application.

If you have any questions, please contact this office at 208-334-2190.

Sincerely,

Kensie Thorneycroft  
Administrative Assistant  
Western Regional Office

Enclosures

## Novak, Shilynn

---

**From:** Novak, Shilynn  
**Sent:** Tuesday, February 25, 2020 8:52 AM  
**To:** 'leggranch@gmail.com'  
**Subject:** Application for Transfer 83892  
**Attachments:** application-fee-schedule T83892.pdf; Receipt - Transfer 83892.pdf; Legg Ranch Transfer 83892.pdf

Good morning,

Our office received your Application for Transfer of Water Right on February 20, 2020. I called Friday, February 21, 2020 and left a message, so I wanted to follow up the call with an email. While looking over your application, I had a question about your change of point of diversion (POD). I wanted to know if this application was to 1) move the current point of diversion from one location to another or 2) update the location in our records. The type of change will affect the fee amount for your application.

If you plan to move the current POD from one location to another, application fees are based on the total amount of water proposed to transfer (#4 of your application). In this case, based on the total amount of water to be transferred (1.23 cfs), the fee amount is \$580. Since you already paid \$50, you would need to submit an additional \$530 in order to continue processing your application.

If your intent was to update the location or change the legal description of the POD in our records when there is no physical change in the location of the POD, the total filing fee is \$50.

If you have any questions, please give me a call at (208) 334-2190 or email me at [shilynn.novak@idwr.idaho.gov](mailto:shilynn.novak@idwr.idaho.gov). Please let me know as soon as possible how you plan to proceed as this email is a way to ensure your application is processed quickly. Thank you for your attention in these matters.

Sincerely,

**Shilynn Novak | Water Resource Agent**  
Idaho Department of Water Resources  
Western Regional Office  
Phone: (208) 334-2190