

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. **83966**

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
MAR 16 2020

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

Name of Applicant(s) Idaho Falls Farms 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.
- ☐ ☒ #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) Idaho Falls Farms LLC Phone 252-523-0800
Mailing address 1318 Dale Street Raleigh, NC 27605 Email _____

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

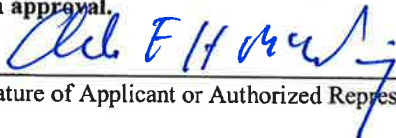
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543
Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

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

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


Signature of Applicant or Authorized Representative

CHARLIE MCNARY CEO
Print Name and Title if applicable

02-26-2020
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.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.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**.
This transfer will updated the place of use of 1079.5 acres of irrigation water.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	35-7323	9.47/2897.2	Irrigation	4/01 to 11/01	Ground Water
☐ ☒	35-2853B	4.81/968.4	Irrigation	4/01 to 11/01	Ground Water
☐ ☒	35-7559	2.78/555.6	Irrigation	4/01 to 11/01	Ground Water
☐ ☒	35-2321	5.08/2678.9	Irrigation	4/01 to 11/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 12.91 cfs and/or 4352.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 12.81 cubic feet per second and/or 4318.0 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 #
		SW	SW	SW	1	02N	35E	Bonneville	Ground Water	
		NW	SW	NW	12	02N	35E	Bonneville	Ground Water	

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	
02N	35E	1									28	30	32	39	8.1	13	40	38	228.1
02N	35E	11	39	40	40	40	40			40	33			8.2	40	40	12.3	29	401.5
02N	35E	12					40	31	40	40	40	40	40	40					311.0
02N	35E	13					40	38	4.6	33	21								136.6
02N	35E	14	2.3																2.3
Total Acres (for irrigation use)																			1079.5

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:

Existing diversion structures including wells, mainlines and delivery systems.

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

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: None

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 change to the land currently irrigated.

- 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:

No change to the historic water rights or PODs used for these water rights.

- 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:

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

Current Water Right No.: 35-7323

Current Owner: HOWARD TAYLOR & SONS INC
Priority Date: 8/28/1973
Origin: Water Right
Status: Active
Basis: Decreed

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	9.54 CFS	
	<u>Total Diversion</u>	9.54 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 1,	Twp 02N,	Rge 35E B.M.
BONNEVILLE County				
GROUND WATER	NW1/4SW1/4NW1/4	Sec. 12,	Twp 02N,	Rge 35E B.M.
BONNEVILLE County				

Place of Use**IRRIGATION Within BONNEVILLE County**

T02N R35E S1	NESW	31.00	T02N R35E S1	NWSW	37.00
T02N R35E S1	SWSW	31.00	T02N R35E S1	SESW	38.00
T02N R35E S1	NESE	9.00	T02N R35E S1	NWSE	11.00
T02N R35E S1	SWSE	35.00	T02N R35E S1	SESE	39.00
T02N R35E S11	NENE	40.00	T02N R35E S11	NWNE	40.00
T02N R35E S11	SWNE	40.00	T02N R35E S11	SENE	40.00
T02N R35E S11	NENW	40.00	T02N R35E S11	SENW	40.00
T02N R35E S11	NESW	30.00	T02N R35E S11	SESW	8.00
T02N R35E S11	NESE	40.00	T02N R35E S11	NWSE	40.00
T02N R35E S11	SWSE	12.00	T02N R35E S11	SESE	33.00
T02N R35E S12	NENW	40.00	T02N R35E S12	NWNW	36.00
T02N R35E S12	SWNW	40.00	T02N R35E S12	SENW	40.00
T02N R35E S12	NESW	40.00	T02N R35E S12	NWSW	40.00
T02N R35E S12	SWSW	40.00	T02N R35E S12	SESW	40.00
T02N R35E S13	NENW	40.00	T02N R35E S13	NWNW	36.00
T02N R35E S13	SWNW	4.00	T02N R35E S13	SENW	32.00
T02N R35E S13	NESW	19.00	T02N R35E S14	NENE	7.00

Total Acres: 1088

Conditions of Approval:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 730 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1088 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 35-02321, 35-02853B & 35-07559.
2. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 35-02321, 35-02853B & 35-07559.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.91 CFS, AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4352 AF.
COMBINED RIGHT NOS.: 35-02321, 35-02853B & 35-07559.

Decreed Date: 2/19/2002

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

Current Water Right No.: 35-2853B

Current Owner: HOWARD TAYLOR & SONS INC
Priority Date: 12/19/1966
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	4.85 CFS	
	<u>Total Diversion</u>	4.85 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 1,	Twp 02N,	Rge 35E B.M.
BONNEVILLE County				
GROUND WATER	NW1/4SW1/4NW1/4	Sec. 12,	Twp 02N,	Rge 35E B.M.
BONNEVILLE County				

Place of Use

IRRIGATION Within BONNEVILLE County

T02N R35E S1	NESW	31.00	T02N R35E S1	NWSW	37.00
T02N R35E S1	SWSW	31.00	T02N R35E S1	SESW	38.00
T02N R35E S1	NESE	9.00	T02N R35E S1	NWSE	11.00
T02N R35E S1	SWSE	35.00	T02N R35E S1	SESE	39.00
T02N R35E S11	NENE	40.00	T02N R35E S11	NWNE	40.00
T02N R35E S11	SWNE	40.00	T02N R35E S11	SENE	40.00
T02N R35E S11	NENW	40.00	T02N R35E S11	SENW	40.00
T02N R35E S11	NESW	30.00	T02N R35E S11	SESW	8.00
T02N R35E S11	NESE	40.00	T02N R35E S11	NWSE	40.00
T02N R35E S11	SWSE	12.00	T02N R35E S11	SESE	33.00
T02N R35E S12	NENW	40.00	T02N R35E S12	NWNW	36.00
T02N R35E S12	SWNW	40.00	T02N R35E S12	SENW	40.00
T02N R35E S12	NESW	40.00	T02N R35E S12	NWSW	40.00
T02N R35E S12	SWSW	40.00	T02N R35E S12	SESW	40.00
T02N R35E S13	NENW	40.00	T02N R35E S13	NWNW	36.00
T02N R35E S13	SWNW	4.00	T02N R35E S13	SENW	32.00
T02N R35E S13	NESW	19.00	T02N R35E S14	NENE	7.00

Total Acres: 1088

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 244 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1088 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 35-07323, 35-02321 & 35-07559.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 35-07323, 35-02321 & 35-07559.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.91 CFS, AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4352 AF.
COMBINED RIGHT NOS.: 35-07323, 35-02321 & 35-07559.

Decreed Date: 2/19/2002

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

Current Water Right No.: 35-7559

Current Owner: HOWARD TAYLOR & SONS INC

Priority Date: 12/5/1975

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

4/01 to 11/01

2.8 CFS

Total Diversion

2.8 CFS

Location of Point(s) of Diversion

GROUND WATER

SW1/4SW1/4SW1/4

Sec. 1, Twp 02N, Rge 35E B.M.

BONNEVILLE County

GROUND WATER

NW1/4SW1/4NW1/4

Sec. 12, Twp 02N, Rge 35E B.M.

BONNEVILLE County

Place of Use

IRRIGATION Within BONNEVILLE County

T02N R35E S1	NESW	31.00	T02N R35E S1	NWSW	37.00
T02N R35E S1	SWSW	31.00	T02N R35E S1	SESW	38.00
T02N R35E S1	NESE	9.00	T02N R35E S1	NWSE	11.00
T02N R35E S1	SWSE	35.00	T02N R35E S1	SESE	39.00
T02N R35E S11	NENE	40.00	T02N R35E S11	NWNE	40.00
T02N R35E S11	SWNE	40.00	T02N R35E S11	SENE	40.00
T02N R35E S11	NENW	40.00	T02N R35E S11	SENW	40.00
T02N R35E S11	NESW	30.00	T02N R35E S11	SESW	8.00
T02N R35E S11	NESE	40.00	T02N R35E S11	NWSE	40.00
T02N R35E S11	SWSE	12.00	T02N R35E S11	SESE	33.00
T02N R35E S12	NENW	40.00	T02N R35E S12	NWNW	36.00
T02N R35E S12	SWNW	40.00	T02N R35E S12	SENW	40.00
T02N R35E S12	NESW	40.00	T02N R35E S12	NWSW	40.00
T02N R35E S12	SWSW	40.00	T02N R35E S12	SESW	40.00
T02N R35E S13	NENW	40.00	T02N R35E S13	NWNW	36.00
T02N R35E S13	SWNW	4.00	T02N R35E S13	SENW	32.00
T02N R35E S13	NESW	19.00	T02N R35E S14	NENE	7.00

Total Acres: 1088

Page _____ of _____

Conditions of Approval:

1. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 35-07323, 35-02853B & 35-02321.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1088 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 35-07323, 35-02853B & 35-02321.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.91 CFS, AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4352 AF.
COMBINED RIGHT NOS.: 35-07323, 35-02853B & 35-02321.

Decreed Date: 2/19/2002

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

Current Water Right No.: 35-2321

Current Owner: HOWARD TAYLOR & SONS INC
Priority Date: 2/3/1953
Origin: Water Right
Status: Active
Basis: Decreed

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	5.12 CFS	
	<u>Total Diversion</u>	5.12 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 1,	Twp 02N,	Rge 35E B.M.
BONNEVILLE County				
GROUND WATER	NW1/4SW1/4NW1/4	Sec. 12,	Twp 02N,	Rge 35E B.M.
BONNEVILLE County				

Place of Use**IRRIGATION Within BONNEVILLE County**

T02N R35E S1	NESW	31.00	T02N R35E S1	NWSW	37.00
T02N R35E S1	SWSW	31.00	T02N R35E S1	SESW	38.00
T02N R35E S1	NESE	9.00	T02N R35E S1	NWSE	11.00
T02N R35E S1	SWSE	35.00	T02N R35E S1	SESE	39.00
T02N R35E S11	NENE	40.00	T02N R35E S11	NWNE	40.00
T02N R35E S11	SWNE	40.00	T02N R35E S11	SENE	40.00
T02N R35E S11	NENW	40.00	T02N R35E S11	SENW	40.00
T02N R35E S11	NESW	30.00	T02N R35E S11	SESW	8.00
T02N R35E S11	NESE	40.00	T02N R35E S11	NWSE	40.00
T02N R35E S11	SWSE	12.00	T02N R35E S11	SESE	33.00
T02N R35E S12	NENW	40.00	T02N R35E S12	NWNW	36.00
T02N R35E S12	SWNW	40.00	T02N R35E S12	SENW	40.00
T02N R35E S12	NESW	40.00	T02N R35E S12	NWSW	40.00
T02N R35E S12	SWSW	40.00	T02N R35E S12	SESW	40.00
T02N R35E S13	NENW	40.00	T02N R35E S13	NWNW	36.00
T02N R35E S13	SWNW	4.00	T02N R35E S13	SENW	32.00
T02N R35E S13	NESW	19.00	T02N R35E S14	NENE	7.00

Total Acres: 1088

Page _____ of _____

Conditions of Approval:

1. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 35-07323, 35-02853B & 35-07559.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 675 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1088 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 35-07323, 35-02853B & 35-07559.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.91 CFS, AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4352 AF.
COMBINED RIGHT NOS.: 35-07323, 35-02853B & 35-07559.

Decreed Date: 2/19/2002

83966



0003643509

**STATE OF IDAHO****Office of the secretary of state, Lawrence Denney
FOREIGN REGISTRATION STATEMENT (LIMITED
LIABILITY COMPANY)**Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301

Filing Fee: \$100.00 - Make Checks Payable to Secretary of State

For Office Use Only

-FILED-

File #: 0003643509

Date Filed: 10/8/2019 6:29:55 AM

Foreign Registration Statement (Limited Liability Company)

Select one: Standard, Expedited or Same Day Service (see
descriptions below)

Standard (filing fee \$100)

1. The name this limited liability company will use in Idaho is:

Type of Limited Liability Company

Foreign Limited Liability Company

Entity name

Idaho Falls Farms LLC

Idaho Falls Farms LLC

2. Home Jurisdiction

The jurisdiction of formation is:

DELAWARE

3. The street address of its domestic principal office (if required by the laws of the jurisdiction of formation) is:

Street Address

None

4. The mailing address of its domestic principal office (if required by the laws of the jurisdiction of formation) is:

Mailing Address

None

5. The complete street address of the principal office is:

Principal Office Address

WILL BACON
1318 DALE STREET
RALEIGH, NC 27605

6. The mailing address of the principal office is:

Mailing Address

WILL BACON
1318 DALE ST
RALEIGH, NC 27605-1350

7. Registered Agent Name and Address

Registered Agent

PARACORP INCORPORATED
Commercial Registered Agent

Physical Address

921 S ORCHARD ST STE G
BOISE, ID 83705

Mailing Address

921 S ORCHARD ST STE G
NINH HO
BOISE, ID 83705

8. Governors

Name	Title	Address
IFC Core Farmland REIT LLC	Member	WILL BACON 1318 DALE ST RALEIGH, NC 27605-1350

Signature of individual authorized by the entity to sign:

Charlie McNairy

Sign Here

10/08/2019

Date

Signer's Title: Manager

B0370-1248 10/08/2019 6:31 AM Received by ID Secretary of State Lawrence Denney

Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "IDAHO FALLS FARMS LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE SEVENTH DAY OF OCTOBER, A.D. 2019.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "IDAHO FALLS FARMS LLC" WAS FORMED ON THE TWENTY-FOURTH DAY OF SEPTEMBER, A.D. 2019.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN ASSESSED TO DATE.



7623388 8300

SR# 20197422294

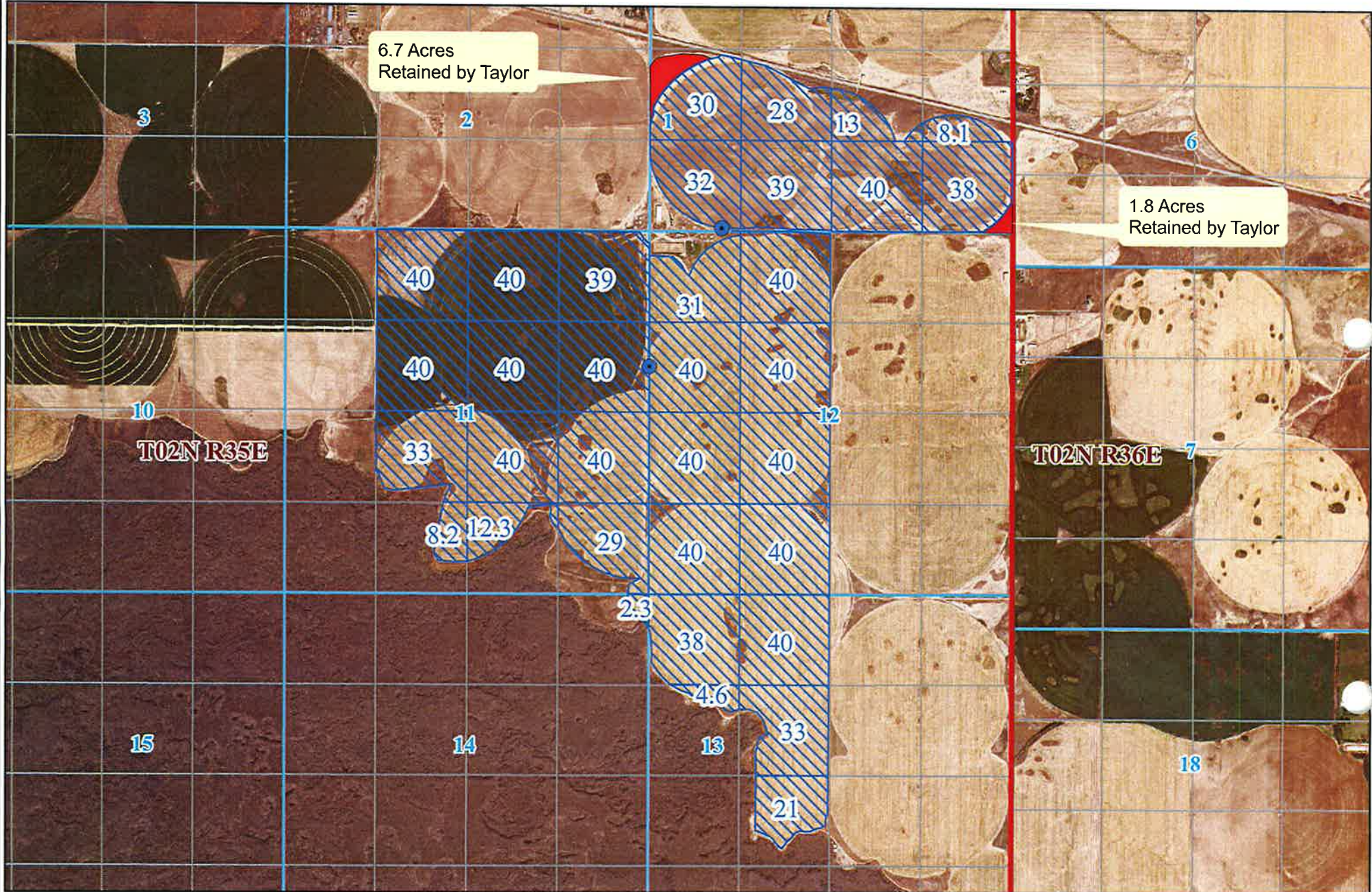
You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JBullock", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Jeffrey W. Bullock, Secretary of State

Authentication: 203742654

Date: 10-07-19





BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

March 13, 2020

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

Re: Idaho Falls Farms LLC

Dear Mr. Cefalo:

Idaho Falls Farms LLC recently purchased three farms and it is necessary to update the irrigation POU's for the three farms. Idaho Falls Farms LLC has previously submitted to IDWR ownership and water right split forms to be processed with the attached transfers. Warranty deeds and the ownership change forms have already been submitted to IDWR.

No beneficial use change, period of use change or POD changes are proposed with the attached three transfers. No ESPA Model analysis was performed for these transfers.

The 1st transfer is for water rights 35-14165, 35-14167, 35-14169, 35-14171 and 35-14173. After this transfer is approved and the water rights splits previously submitted to IDWR are processed, these water rights will be able to irrigate 1570.0 acres. This transfer proposes to adjust 47.4 acres of the 1570.0. Because only 47.4 acres are being adjusted a transfer fee of \$500.00 is being submitted for this transfer.

The 2nd transfer is for water rights 35-2715, 35-2853A and 35-7563. After this transfer is approved and the water rights splits previously submitted to IDWR are processed, these water rights will be able to irrigate 1123.1 acres. This transfer proposes to adjust 79.7 acres of the 1123.1. Because only 79.7 acres are being adjusted a transfer fee of \$580.00 is being submitted for this transfer.

The 3rd transfer is for water rights 35-7323, 35-2853B, 35-7559 and 35-2321. After this transfer is approved and the water rights splits previously submitted to IDWR are processed, these water rights will be able to irrigate 1079.5 acres. This transfer proposes to adjust 44.7 acres of the 1079.5. Because only 44.7 acres are being adjusted a transfer fee of \$500.00 is being submitted for this transfer.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Please copy our office on all correspondence regarding this application.

Sincerely,

A handwritten signature in dark ink, appearing to read "Greg Sullivan", written in a cursive style.

Greg Sullivan, M.S., Engineer

Cc: Chris Mathews

Enc: Three Transfer Applications, Aerial Maps, Brockway Engineering Check # 15800 for
\$1,580.00