

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

83965

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 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.

Charlie McNairy CHARLIE MCNAIRY CEO 02-26-2020
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 ☐ 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**.
This transfer will updated the place of use of 1123.1 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 <input type="checkbox"/> <input checked="" type="checkbox"/>	35-2715	8.97/3819.1	Irrigation	4/01 to 11/01	Ground Water
<input type="checkbox"/> <input checked="" type="checkbox"/>	35-2853A	5.38/1082.7	Irrigation	4/01 to 11/01	Ground Water
<input type="checkbox"/> <input checked="" type="checkbox"/>	35-7563	1.24/248.0	Irrigation	4/01 to 11/01	Ground Water
<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 12.48 cfs and/or 4564.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 12.28 cubic feet per second and/or 4492.4 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		NW	SW	NE	12	02N	35E	Bonneville	Ground Water	
		NE	NW	NE	13	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	12	34	40	40	40									40	40	40	39	313.0
02N	35E	13	38	40	40	39									39	37	2.9	34	269.9
02N	35E	24	15	2.4															17.4
02N	36E	7	3.1	37	40	5.5	37	3.2	36	40	40	40	40	36	37	40	24	26	484.8
02N	36E	8						38											38.0
Total Acres (for irrigation use)																			1123.1

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

- | | | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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.: 35-2715

Current Owner: GOLD EMBLEM FARMS

Priority Date: 5/31/1962

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	9.11 CFS	
	<u>Total Diversion</u>	9.11 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4NE1/4	Sec. 13,	Twp 02N,	Rge 35E B.M.
BONNEVILLE County				
GROUND WATER	NW1/4SW1/4NE1/4	Sec. 12,	Twp 02N,	Rge 35E B.M.
BONNEVILLE County				

Place of Use

IRRIGATION Within BONNEVILLE County

T02N R35E S12	NENE	40.00	T02N R35E S12	NWNE	40.00
T02N R35E S12	SWNE	40.00	T02N R35E S12	SENE	40.00
T02N R35E S12	NESE	40.00	T02N R35E S12	NWSE	40.00
T02N R35E S12	SWSE	40.00	T02N R35E S12	SESE	40.00
T02N R35E S13	NENE	40.00	T02N R35E S13	NWNE	40.00
T02N R35E S13	SWNE	40.00	T02N R35E S13	SENE	40.00
T02N R35E S13	NESE	40.00	T02N R35E S13	NWSE	37.00
T02N R35E S13	SWSE	2.00	T02N R35E S13	SESE	36.00
T02N R35E S24	NENE	14.00	T02N R35E S24	NWNE	2.00
T02N R36E S7	NWNE	39.00	T02N R36E S7	SWNE	40.00
T02N R36E S7	NENW	35.00	T02N R36E S7	NWNW	16.00
T02N R36E S7	SWNW	31.00	T02N R36E S7	SENW	40.00
T02N R36E S7	NESW	34.00	T02N R36E S7	NWSW	34.00
T02N R36E S7	SWSW	40.00	T02N R36E S7	SESW	38.00
T02N R36E S7	NESE	39.00	T02N R36E S7	NWSE	39.00
T02N R36E S7	SWSE	29.00	T02N R36E S7	SESE	36.00
T02N R36E S18	NWNW	40.00			

Total Acres: 1141

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NOS. 35-02853A AND 35-07563 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.48 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4564 AF.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. USE OF THIS RIGHT WITH RIGHT NOS. 35-02853A & 35-07563 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1141 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 970 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. RIGHT NOS. 35-02853A & 35-07563 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

Decreed Date: 1/31/2002

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

Current Water Right No.: 35-2853A

Current Owner: GOLD EMBLEM FARMS
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	5.47 CFS	
	<u>Total Diversion</u>	5.47 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NE1/4	Sec. 12,	Twp 02N,	Rge 35E B.M.
BONNEVILLE County				
GROUND WATER	NE1/4NW1/4NE1/4	Sec. 13,	Twp 02N,	Rge 35E B.M.
BONNEVILLE County				

Place of Use**IRRIGATION Within BONNEVILLE County**

T02N R35E S12	NENE	40.00	T02N R35E S12	NWNE	40.00
T02N R35E S12	SWNE	40.00	T02N R35E S12	SENE	40.00
T02N R35E S12	NESE	40.00	T02N R35E S12	NWSE	40.00
T02N R35E S12	SWSE	40.00	T02N R35E S12	SESE	40.00
T02N R35E S13	NENE	40.00	T02N R35E S13	NWNE	40.00
T02N R35E S13	SWNE	40.00	T02N R35E S13	SENE	40.00
T02N R35E S13	NESE	40.00	T02N R35E S13	NWSE	37.00
T02N R35E S13	SWSE	2.00	T02N R35E S13	SESE	36.00
T02N R35E S24	NENE	14.00	T02N R35E S24	NWNE	2.00
T02N R36E S7	NWNE	39.00	T02N R36E S7	SWNE	40.00
T02N R36E S7	NENW	35.00	T02N R36E S7	NWNW	16.00
T02N R36E S7	SWNW	31.00	T02N R36E S7	SENW	40.00
T02N R36E S7	NESW	34.00	T02N R36E S7	NWSW	34.00
T02N R36E S7	SWSW	40.00	T02N R36E S7	SESW	38.00
T02N R36E S7	NESE	39.00	T02N R36E S7	NWSE	39.00
T02N R36E S7	SWSE	29.00	T02N R36E S7	SESE	36.00
T02N R36E S18	NWNW	40.00			

Total Acres: 1141

Page _____ of _____

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT NOS. 35-02715 & 35-07563 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
3. USE OF THIS RIGHT WITH RIGHT NOS. 35-02715 & 35-07563 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1141 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 275 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. 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.
6. USE OF THIS RIGHT WITH RIGHT NOS. 35-02715 AND 35-07563 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.48 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4564 AF.

Decreed Date: 1/31/2002

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

Current Water Right No.: 35-7563

Current Owner: GOLD EMBLEM FARMS

Priority Date: 12/15/1975

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	1.26 CFS	
	<u>Total Diversion</u>	1.26 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NE1/4	Sec. 12, Twp 02N, Rge 35E B.M.
BONNEVILLE County		
GROUND WATER	NE1/4NW1/4NE1/4	Sec. 13, Twp 02N, Rge 35E B.M.
BONNEVILLE County		

Place of Use

IRRIGATION Within BONNEVILLE County

T02N R35E S12	NENE	40.00	T02N R35E S12	NWNE	40.00
T02N R35E S12	SWNE	40.00	T02N R35E S12	SENE	40.00
T02N R35E S12	NESE	40.00	T02N R35E S12	NWSE	40.00
T02N R35E S12	SWSE	40.00	T02N R35E S12	SESE	40.00
T02N R35E S13	NENE	40.00	T02N R35E S13	NWNE	40.00
T02N R35E S13	SWNE	40.00	T02N R35E S13	SENE	40.00
T02N R35E S13	NESE	40.00	T02N R35E S13	NWSE	37.00
T02N R35E S13	SWSE	2.00	T02N R35E S13	SESE	36.00
T02N R35E S24	NENE	14.00	T02N R35E S24	NWNE	2.00
T02N R36E S7	NWNE	39.00	T02N R36E S7	SWNE	40.00
T02N R36E S7	NENW	35.00	T02N R36E S7	NWNW	16.00
T02N R36E S7	SWNW	31.00	T02N R36E S7	SENW	40.00
T02N R36E S7	NESW	34.00	T02N R36E S7	NWSW	34.00
T02N R36E S7	SWSW	40.00	T02N R36E S7	SESW	38.00
T02N R36E S7	NESE	39.00	T02N R36E S7	NWSE	39.00
T02N R36E S7	SWSE	29.00	T02N R36E S7	SESE	36.00
T02N R36E S18	NWNW	40.00			

Total Acres: 1141

Page _____ of _____

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NOS. 35-02853A AND 35-02715 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.48 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4564 AF.
3. RIGHT NOS. 35-02853A & 35-02715 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
4. USE OF THIS RIGHT WITH RIGHT NOS. 35-02853A & 35-02715 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1141 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 63 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Decreed Date: 1/31/2002

83965



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								
<table border="1"><thead><tr><th>Name</th><th>Title</th><th>Address</th></tr></thead><tbody><tr><td>IFC Core Farmland REIT LLC</td><td>Member</td><td>WILL BACON 1318 DALE ST RALEIGH, NC 27605-1350</td></tr></tbody></table>			Name	Title	Address	IFC Core Farmland REIT LLC	Member	WILL BACON 1318 DALE ST RALEIGH, NC 27605-1350
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:								
<u>Charlie McNairy</u>		<u>10/08/2019</u>						
Sign Here		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

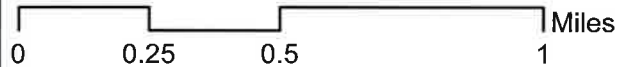
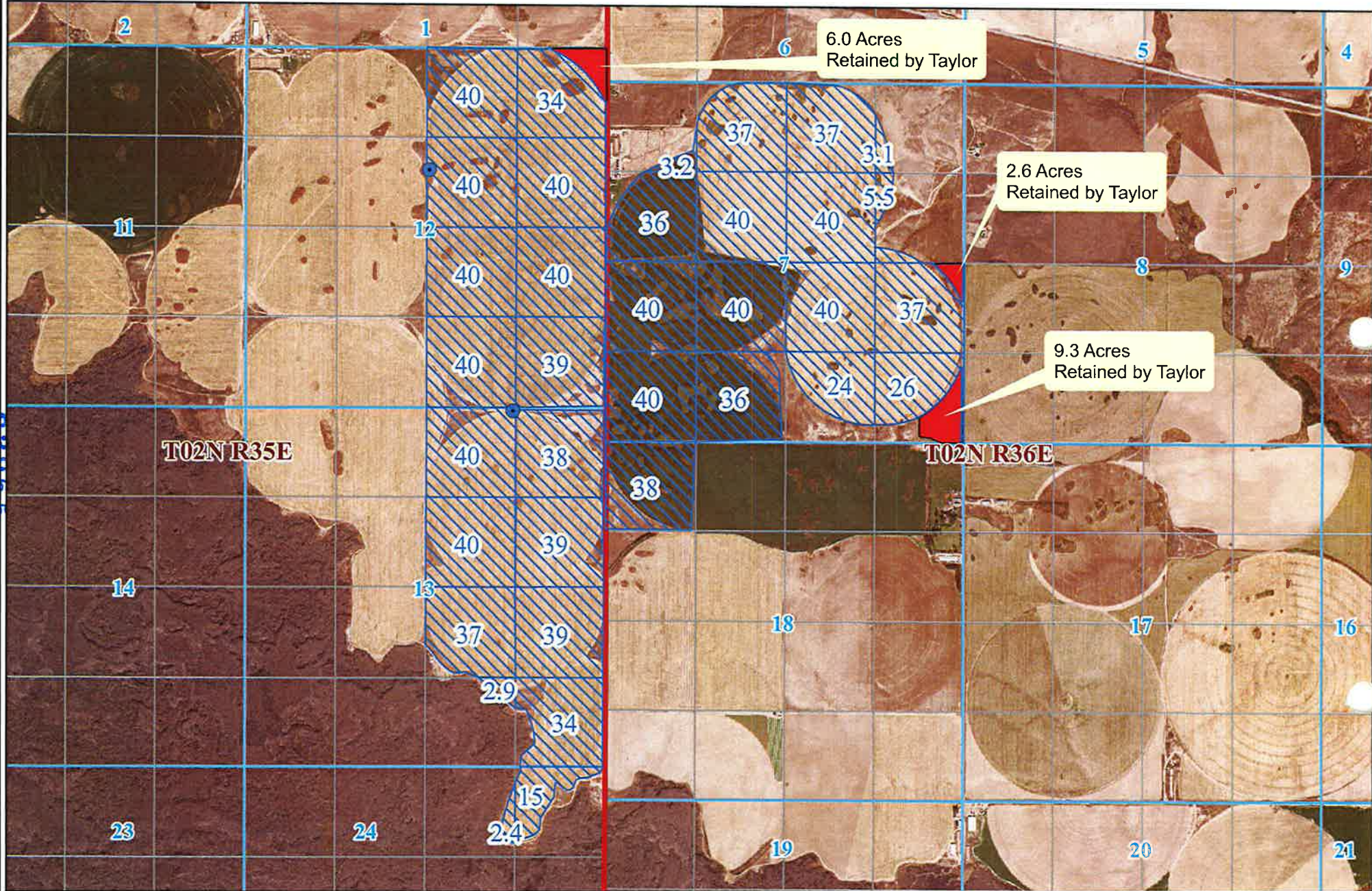
SR# 20197422294

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

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

Authentication: 203742654

Date: 10-07-19



LAVA II FARM WATER RIGHT SPLITS

2019 NAIP AERIAL

Legend

- Lava_II_PODs
- ▨ Lava_II_New_POU_QQ
- Lava II Howard Taylor Sons Retained



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
MAR 16 2020
Department of Water Resources
Eastern Region

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 POUs 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