

2002

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

TC-13-03

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT ²⁹⁻⁸²⁴⁰ IN THE NAME)
OF ²⁹⁻⁸²⁴¹)
¹³⁻⁷¹⁶¹)
Carl Jorgensen)

ORDER AUTHORIZING
TEMPORARY CHANGE

WHEREAS, a drought emergency has been declared for Caribou County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources (A Department) is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on 9/9/02, Carl Jorgensen submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no(s). ²⁹⁻⁸²⁴⁰ 29-8241 & 13-7161 is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.
3. This temporary change approval may only be used to provide a

replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

4. Right(s) 13-7161
29-8240; 29-8241 are limited to the irrigation of a total of 585 acres in a single irrigation season.
5. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
6. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
7. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
8. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval. (If this condition or a similar one is used, describe the required frequency of measurement and when and where to report the amount of measured water).
9. The watermaster of Water District No. 13-T is authorized to administer the temporary change approval.
10. This temporary change approval expires on Nov 1, 2002 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 10 day of Sept, 2002

[Signature]
AUTHORIZED PERSON
IDWR

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of Applicant Carl Jorgensen Phone (208) 425-3953
Post Office Address 1699 Lloyd Rd, Bancroft, Id 83217

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Drought conditions, well under
13-2198 & 13-7005 went dry, running out of water (canal)

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
~~13-2198~~ 29-8240	12/22/1958	2.88 cfs*	IRRIGATION	4/15 to 10/15
~~13-7005~~ 29-8241	5/15/1969	3.74 cfs*	IRRIGATION	4/15 to 10/15
13-7161	4/15/1977	4.54 cfs	IRRIGATION	4/15 to 10/15

2. Total amount of water being transferred 8.36 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			NW	NW	32	9S	40E	Caribou	(P/D for 13-7161)

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	40E	29												38					38
		31	31	32	32	31									31	32	32	31	252
		32					32	31	31	32			16	16					158
10S	40E	5		5	2		38	34	17	21						20			137
				L-2			L-3	L-4											

* 29-8240 combined with 29-8241 Limited to 355 ac and 3.82 cfs Total Acres 585

6. General Information:

- a. Who owns the water right to be changed? APPLICANT
- b. Describe the arrangement allowing use of the right _____
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
will be able to raise crops under pivots & handlines
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. 13-2198 & 13-7005 well went dry, 13-7161 will not irrigate land not under pivot & handlines
- e. Absent the changes, how would the right be used for the remainder of the year? 13-2198 & 13-7005 could not be used, 13-7161 could be used on P/u under rights
- f. Describe other water rights used for the same purpose.
NONE
- g. Remarks: Drought conditions are forcing us to find alternative sources of water

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Carl B. Jorgensen
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 8/23/2002 Fee 50⁰⁰

Receipted KCW # E028131 Recommend: _____ approve _____ deny _____

Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-13-03

And said application is hereby Approved, subject to the following limitations and conditions:

Witness my hand this 10 day of Sept, 2002.

[Signature]
For the Director

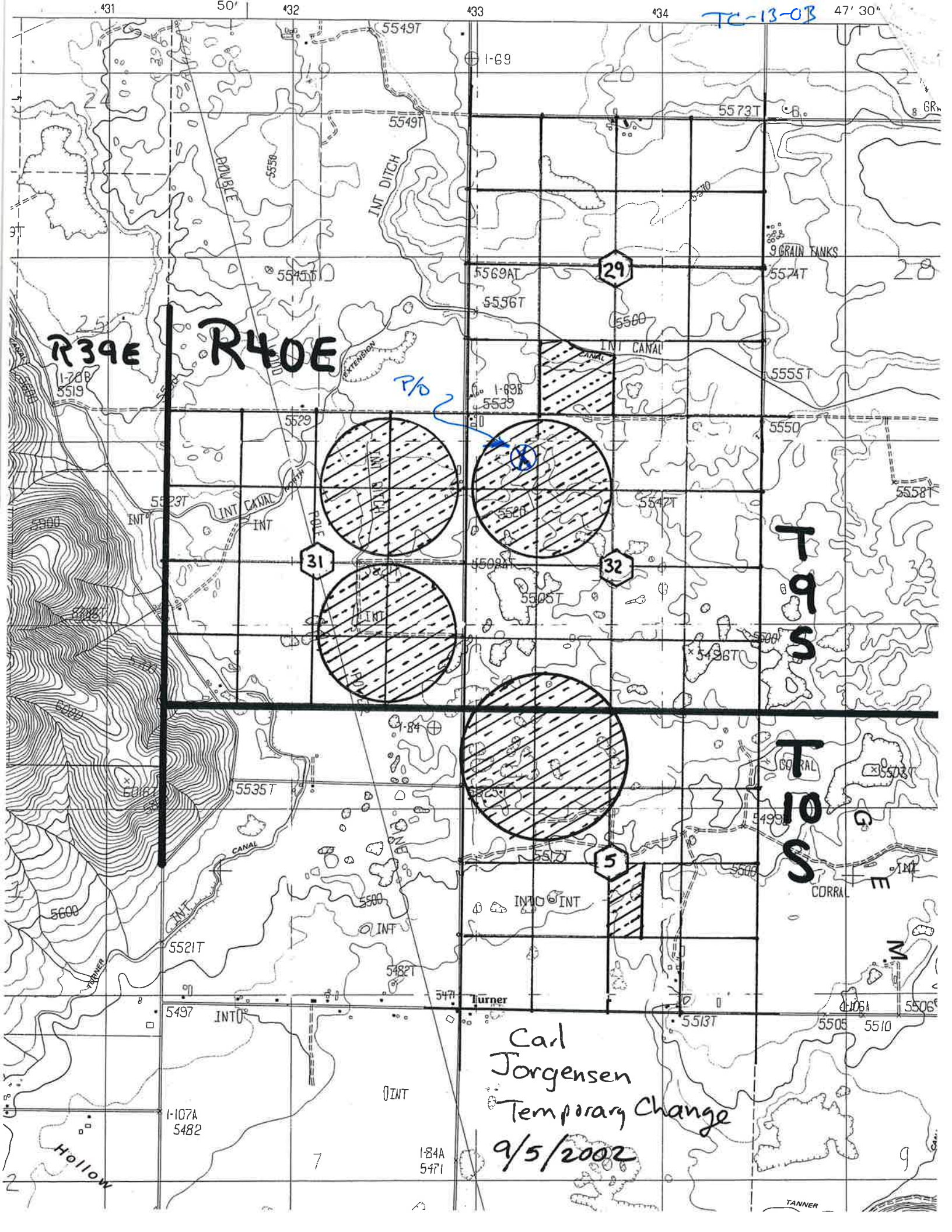
TC-13-03

R39E R40E

P/O

T9S
T10S

Carl Jorgensen
Temporary Change
9/5/2002



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-8240

WATER RIGHT NUMBER: 29-8240

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JORGENSEN BROTHERS, TERRY C JORGENSEN ET UX 1928 OLD HWY 30 BANCROFT, ID 83217 (208)425-3864
Current Owner	KEITH C JORGENSEN ET UX 503 BENCH LAGO RD GRACE, ID 83241 (208)425-3138

Priority Date: 12/22/1958

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	2.880 CFS	

Total Diversion: 2.880 CFS

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 14, Twp 09S, Rge 40E, B.M.

CARIBOU County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 40E 13					38.0	39.0	39.0	38.0									154.0
09S 40E 14	13.0		30.0	40.0		39.0	39.0	40.0									201.0

Total Acres: 355

Conditions of Approval:

- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
- R62 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
- T02 The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:

- General Right 29-8240 is limited to the irrigation of 246.0 acres in the place of use described above in a single irrigation season.
Right 29-8241 is limited to the irrigation of 352.0 acres in the place of use described above in a single irrigation season.
Rights 29-8240 and 29-8241 when combined shall not exceed a total diversion rate of 3.82 cfs, the irrigation of 355.0 acres, and a total annual maximum diversion volume of 108.6 af.
The well previously used under Rights 13-02198 and 13-07005 shall be abandoned in a manner which complies with Department well abandonment rules.

Comments:

- This right renumbered from 13-02198.
Decreed Date: 7/28/1992

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 13-2198 V1

WATER RIGHT NUMBER: 13-2198 V1

Owner Type Name and Address
 Current Owner EVERETT W SMITH
 1670 TURNER RD
 GRACE, ID 83241

Priority Date: 12/22/1958

Basis: License

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
IRRIGATION	4/15 to 10/15	2.880 CFS	738.00 AF
<u>Total Diversion:</u>		2.880 CFS	738.00 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4

Sec. 5, Twp 10S, Rge 40E, B.M.

CARIBOU County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 40E 32											19.0	19.0			3.0	15.0	56.0
10S 40E 5		34.0	28.0		38.0	34.0	28.0	28.0									190.0

Total Acres: 246

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT 13-07005 SHALL NOT EXCEED 3.82 CFS.
 THE MAXIMUM COMBINED IRRIGATED LAND UNDER THIS RIGHT AND RIGHT 13-07005 SHALL NOT EXCEED 355 ACRES.
 THIS RIGHT WHEN COMBINED WITH ANY OTHER RIGHTS SHALL NOT EXCEED A DIVERSION RATE OF 0.02 CFS PER ACRE, A DIVERSION AMOUNT OF 3.0 AFY PER ACRE, NOR A VOLUME OF CONSUMPTIVE USE OF 2.5 AFY PER ACRE

Comments:Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-8241

WATER RIGHT NUMBER: 29-8241

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JORGENSEN BROTHERS, TERRY C JORGENSEN ET UX 1928 OLD HWY 30 BANCROFT, ID 83217 (208)425-3864
Current Owner	KEITH C JORGENSEN ET UX 503 BENCH LAGO RD GRACE, ID 83241 (208)425-3138

Priority Date: 05/15/1969

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15	to 10/15	3.740 CFS	

Total Diversion: 3.740 CFS

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 14, Twp 09S, Rge 40E, B.M.

CARIBOU County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 40E 13					38.0	39.0	39.0	38.0									154.0
09S 40E 14	13.0		30.0	40.0		39.0	39.0	40.0									201.0

Total Acres: 355

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
4. R62 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. T02 The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
6. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:

1. General Right 29-8240 is limited to the irrigation of 246.0 acres in the place of use described above in a single irrigation season.
Right 29-8241 is limited to the irrigation of 352.0 acres in the place of use described above in a single irrigation season.
Rights 29-8240 and 29-8241 when combined shall not exceed a total diversion rate of 3.82 cfs, the irrigation of 355.0 acres, and a total annual maximum diversion volume of 108.6 af.
The well previously used under Rights 13-02198 and 13-07005 shall be abandoned in a manner which complies with Department well abandonment rules.

Comments:

1. This right renumbered from 13-07005. Decreed Date: 7/28/1992

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 13-7005 V1

WATER RIGHT NUMBER: 13-7005 V1

Owner Type Name and Address
 Current Owner EVERETT W SMITH
 1670 TURNER RD
 GRACE, ID 83241

Priority Date: 05/15/1969

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	3.740 CFS	1,056.00 AF
Total Diversion:		3.740 CFS	1,056.00 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4

Sec. 5, Twp 10S, Rge 40E, B.M.

CARIBOU County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 40E 32									16.0	21.0			3.0	20.0			60.0
10S 40E 5	33.0	34.0	28.0	19.0	40.0	40.0	36.0	37.0					21.0	4.0			292.0
	L 1	L 2			L 3	L 4											

Total Acres: 352

Conditions of Approval:Remarks:

- General THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT 13-02198 SHALL NOT EXCEED 3.82 CFS.
 THE MAXIMUM COMBINED IRRIGATED LAND UNDER THIS RIGHT AND RIGHT 13-02198 SHALL NOT EXCEED 355 ACRES.
 THIS RIGHT WHEN COMBINED WITH ANY OTHER RIGHTS SHALL NOT EXCEED A DIVERSION RATE OF 0.02 CFS PER ACRE, A DIVERSION AMOUNT OF 3.0 AFY PER ACRE, NOR A VOLUME OF CONSUMPTIVE USE OF 2.5 AFY PER ACRE.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-7161

WATER RIGHT NUMBER: 13-7161

Owner Type Name and Address
 Current Owner CARL B & PATRICIA JORGENSEN
 1699 LLOYD RD
 BANCROFT, ID 83217
 (208)425-3953

Priority Date: 04/15/1977

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	4.540 CFS	690.00 AF
<u>Total Diversion:</u>		4.540 CFS	690.00 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4

Sec. 32, Twp 09S, Rge 40E, B.M.

CARIBOU County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 40E 29												38.0					38.0
09S 40E 32					38.0	38.0	38.0	40.0		38.0							192.0

Total Acres: 230

Conditions of Approval:Remarks:

1. General THIS RIGHT WHEN COMBINED WITH ANY OTHER RIGHTS SHALL NOT EXCEED A DIVERSION RATE OF 0.02 CFS PER ACRE, A DIVERSION AMOUNT OF 3.0 AFY PER ACRE, NOR A VOLUME OF CONSUMPTIVE USE OF 2.5 AFY PER ACRE

Comments:Dates and Other Information:

Licensed Date:
 Decreed Date: 7/28/1992
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant: GERALD J. ACKERMAN, ET AL

Decree Plaintiff: STATE OF IDAHO

Civil Case Number: 2919
 Judicial District: SIXTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Send Recorded Deed to:
Law Office of Travis L. Bowen, P.C.
P.O. Box 11637
Salt Lake City, UT 84147-0637

Mail Tax Notice to:
Jorgensen Farms Limited Partnership
1928 Old Highway 30
Bancroft, ID 83217

THIS INSTRUMENT FILED FOR RECORD BY
CARIBOU LAND TITLE INC. AS AN
ACCOMMODATION ONLY. IT HAS NOT BEEN
EXAMINED AS TO ITS EXECUTION OR AS
TO ITS EFFECT UPON THE TITLE.

STATE OF IDAHO } ss 165947
County of Caribou }
I hereby certify that this instrument was filed at the request
of Caribou Title
at 4:00 o'clock pm on this 9th day of
May, 2002 in my office and duly
recorded official Records
Recorder Edie Izatt
Signature Jessie Stephens Deputy 39.00
cr

QUIT-CLAIM DEED

FOR VALUE RECEIVED, CARL B. JORGENSEN AND PATRICIA JORGENSEN,
husband and wife; TERRY CARL JORGENSEN, also known as TERRY C.
JORGENSEN and MELONIE JORGENSEN, husband and wife, and KEITH C.
JORGENSEN AND BECKY JORGENSEN, husband and wife, of Grace, County
of Caribou, State of Idaho, do hereby convey, release, remise and
forever quit claim unto JORGENSEN FARMS LIMITED PARTNERSHIP, of
Bancroft, County of Caribou, State of Idaho 83217, for the sum of
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, the
following described premises, to-wit:

Caribou County, Idaho:

SEE EXHIBITS "A" AND "B", attached hereto and by reference
made a part hereof.

together with their appurtenances.

DATED: January 15, 2002.

Carl B. Jorgensen
CARL B. JORGENSEN

Terry Carl Jorgensen
TERRY CARL JORGENSEN

Keith C. Jorgensen
KEITH C. JORGENSEN

Patricia Jorgensen
PATRICIA JORGENSEN

Melanie Jorgensen
MELONIE JORGENSEN

Becky Jorgensen
BECKY JORGENSEN

165947

Section 25: W½SW¼, Lot 3, Also, Beginning at the Northeast corner of Lot 4 of Section 25, and running
 thence South 231 feet;
 thence Southwesterly to a point 255.75 feet South of the Northwest corner of Lot 4;
 thence North 255.75 feet to the Northwest corner of Lot 4;
 thence East along the North line of Lot 4,
 to the point of beginning.
 EXCEPT THEREFROM the following described tracts:
 1. Beginning at the Northeast corner of the SW½SW¼ of Section 25, and running
 thence South on the East boundary line of said SW½SW¼ 255.75 feet;
 thence Northwesterly to a point on the North boundary line of said SW½SW¼ 759 feet West of the point of beginning;
 thence East on the North boundary line of said SW½SW¼ 759 feet, to the point of beginning.
 2. All that portion of the W½SW¼ lying West of Mountain Road.

Township 9 South, Range 40 East of the Boise Meridian:

Section 2: All that portion of the SE½SW¼ lying Southerly of the right of way of the old Highway 30 as presently located.

Section 9: E½, EXCEPT THEREFROM, the following described tract:
 Beginning at the Southeast corner of the S½SE¼ of Section 9, and running
 thence Westerly along the South line of said S½SE¼ a distance of 2631.0 feet, more or less, to the Southwest corner of said S½SE¼;
 thence Northerly along the West line of said S½SE¼ a distance of 107.0 feet, more or less, to a point in a line parallel with and 110.0 feet Northerly from the centerline of said U.S. Highway No. 30, Project No. F-RF-1481(14) Highway Survey;
 thence South 89°58'40" East along said parallel line 2590.0 feet, more or less, to a point opposite Station 665+60 of said Highway Survey;
 thence North 0°01'20" East 80.0 feet to a point in a line parallel with and 190 feet Northerly from the centerline of said Highway Survey;
 thence South 89°58'40" East along said last parallel line 41.0 feet, more or less, to a point in the East line of said S½SE¼;
 thence Southerly along said East line 186.0 feet, more or less, to the point of beginning.
 ALSO, EXCEPT THEREFROM, Beginning at the Northeast corner of said Section 9, and running
 thence South 495 feet;
 thence West 528 feet;
 thence North 33°41'24" West 594.16 feet, more or less, to a

165947

point 858 feet West of the point of beginning;
thence East 858 feet, to the point of beginning.

Section 10: EXNE½.

Section 11: W½NW½, and all that portion of the NE½NW½ lying Southerly of Highway 30 North, as presently located.

EXCEPT THEREFROM, Beginning at the Northwest corner of Section 11 located North 00°07'34" East 5330.09 feet from the Southwest corner of said Section 11;
thence South 00°07'34" West 850.75 feet along the West line of said Section;
thence East 1215.87 feet to a 5/8" rebar with cap labelled "A.A. Hudson, PLS 4735", the True Point of Beginning, and running
thence North 22°16'54" East 89.22 feet to a 5/8" rebar with cap;
thence South 89°53'56" East 270.94 feet to a 5/8" rebar with cap;
thence North 09°19'32" East 256.53 feet to a 5/8" rebar with cap;
thence South 53°44'22" East 344.47 feet to a 5/8" rebar with cap;
thence South 21°15'49" West 297.31 feet to a 5/8" rebar with cap;
thence South 45°47'34" West 149.59 feet to a 5/8" rebar with cap;
thence North 82°49'45" West 284.57 feet to a 5/8" rebar with cap set a a fence corner;
thence South 17°14'08" West 118.07 feet along a fence line to a 5/8" rebar with cap;
thence South 89°49'52" West 336.99 feet to a 5/8" rebar with cap;
thence North 01°29'48" West 321.61 feet to a 5/8" rebar with cap set on a fence line;
thence North 88°30'12" East 253.76 feet, to the True Point of Beginning.

Section 14: N½, EXCEPT THEREFROM, Beginning at the Northeast corner said Section 14, and running

thence Southerly along the East line of said Section 14 a distance of 139 feet, more or less, to a point in a line parallel with and 130 feet Southerly from the centerline of said U.S. Highway No. 30, Project No. F-RF-1481(14) Highway Survey;
thence North 89°58'40" West along said parallel line 1684 feet, more or less, to a point opposite Station 755+00 of said Highway Survey;
thence South 65°47'40" West 109.66 feet to a point that bears South 0°01'20" West 175 feet from Station 754+00 of said Highway Survey;
thence South 85°15'31" West 301.04 feet to a point that bears South 0°01'20" West 200 feet from Station 751+00

165947

of said Highway Survey;
thence South $71^{\circ}35'14''$ West 316.23 feet to a point that
bears South $0^{\circ}01'20''$ West 300 feet from Station 748+00
of said Highway Survey;
thence North $77^{\circ}58'51''$ West 336 feet, more or less, to a
point in the West line of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 14;
thence Northerly along said West line 238 feet, more or less,
to the Northwest corner of said N $\frac{1}{2}$ NE $\frac{1}{4}$;
thence Easterly along the North line of said N $\frac{1}{2}$ NE $\frac{1}{4}$ a distance
of 2611 feet, more or less,
to the point of beginning.

ALSO, EXCEPT THEREFROM, Beginning at the Northeast corner of
said Section 14, township and range aforesaid, thence South
 $0^{\circ}01'20''$ West 8.63 feet, more or less; thence North $89^{\circ}58'40''$
West 1583.63 feet, more or less; thence South $0^{\circ}01'20''$ West
130 feet, more or less, to the True Point of Beginning,
and running

thence South $0^{\circ}01'20''$ West 670 feet;
thence South $21^{\circ}46'45.1''$ East 215.41 feet;
thence South $0^{\circ}01'20''$ West 550 feet;
thence South $73^{\circ}19'26.8''$ West 522.01 feet;
thence North $89^{\circ}58'40''$ West 200 feet;
thence North $0^{\circ}01'20''$ East 700 feet;
thence North $54^{\circ}57'19.9''$ West 270.08 feet;
thence North $0^{\circ}01'20''$ West 523.88 feet;
thence North $77^{\circ}58'51''$ West 187.14 feet;
thence North $0^{\circ}43'58''$ West 51.26 feet;
thence South $77^{\circ}58'51''$ East 332.16 feet, more or less;
thence North $71^{\circ}35'14''$ East 316.23 feet;
thence North $85^{\circ}15'31''$ East 301.04 feet;
thence North $65^{\circ}47'40''$ East 109.66 feet, more of less;
to the point of beginning.

ALSO EXCEPT THEREFROM, a parcel of land on both sides of the
centerline of U. S. Highway 30, Project No. F-RF-1481(14)
Highway Survey as shown on the plans thereof now on file in
the office of the Idaho Transportation Department, Division
of Highways, and being a portion of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 14,
described as follows:

Beginning at the Northwest corner of Section 14,
and running
thence Easterly along the North line of said Section 14, a
distance of 2667.0 feet, more or less, to the Northeast
corner of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 14;
thence Southerly along the East line of said N $\frac{1}{2}$ NW $\frac{1}{4}$ a distance
of 238.0 feet, more or less;
thence North $77^{\circ}58'51''$ West 483.0 feet, more or less, to a
point in a line parallel with and 130.0 feet Southerly
from the centerline and opposite Station 740+00 of said
U.S. Highway No. 30, Project No. F-RF-1481(14) Highway
Survey;

165947

thence North 89°58'40" West along said parallel line 2150.0 feet to a point opposite Station 718+50 of said Highway of said Highway Survey;
 thence South 00°01'20" West 100 feet to a point in a line parallel with and 230.0 feet Southerly from the centerline of said Highway Survey;
 thence North 89°58'40" West along said last parallel line 44.0 feet, more or less, to a point in the West line of said Section 14;
 thence Northerly along the said West line 236.0 feet, more or less, to the point of beginning.

Section 29: SEXSW%, EXCEPT that portion thereof lying North of the North Extension Company Canal.

Section 30: Lots 3 and 4, EXSW%.

Section 31: Lot 4, SEXSW%, EX%, EXCEPT THERERFROM, Beginning at a point on the Westerly right of way of a County Road, said point being 1332.6 feet South and 30 feet West of the Northeast corner of Section 31, and running
 thence South along said right of way line 410 feet;
 thence West 111 feet;
 thence North 410 feet;
 thence East 111 feet,
 to the point of beginning.

Section 32: NW%, NW%SW%, S%SW%.

Section 33: SW%SW%, EXSW%, W%SE%, SEXSE%.

Township 9 South, Range 43 East of the Boise Meridian:

Section 1: SW%SW%SW%.

Section 2: S%SE%, S%N%SE%, S%N%W%NE%SE%, S%N%N%W%SE%, NW%N%W%N%W%SE%, EX%EX%NE%SW%.

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

Section 4: Lots 1, 2, 3, and 4, S%NE%, S%NW%.

Section 5: N%, SW%, EXCEPT THEREFROM, the following described tract:
 Beginning at the Northwest corner of the NW%SW% of said Section 5, and running
 thence East 550 feet; thence South 240 feet;
 thence West 550 feet; thence North 240 feet,
 to the point of beginning.

Section 6: Lots 1, 2, 3, and 4.

Section 7: Beginning at the Northeast corner of said Section 7, and running
 thence West 440 feet; thence South 198 feet;
 thence East 440 feet; thence North 198 feet,
 to the point of beginning.

Section 8: NW%.

Section 14: All, EXCEPT THEREFROM, the following described tracts:

1. Beginning at the Northwest corner of Section 14, and running
 thence South 754 feet, more or less, to the Southeast corner

TC-13-03 Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 27 2000

Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 4842
WATER RIGHT NO(S). ~~13-02198/13-07005~~
29-08240/29-08241

This is to certify that: DBA JORGENSEN BROTHERS
TERRY C JORGENSEN ET UX
KEITH C JORGENSEN ET UX
1928 OLD HWY 30
BANCROFT ID 83217

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>DIVERSION VOLUME</u>
Right No. 13-02198 : IRRIGATION Priority: 12/22/1958	04/15 to 10/15	2.88 CFS	
Right No. 13-07005 : IRRIGATION Priority: 05/15/1969	04/15 to 10/15	3.74 CFS	
TOTAL:		* 3.82 CFS	* 108.6 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 14, Township 09S, Range 40E
CARIBOU County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	40E	13	NENW 38	NWNW 39	SWNW 39	
			SENW 38		SENE 40	154
		14	NENE 13	SWNE 30	SENE 40	
			NWNW 39	SWNW 39	SENE 40	201
Total number of acres irrigated:						* 355 **

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 13T.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

TRANSFER NO. 4842
WATER RIGHT NO(S). 13-02198/13-07005

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ** 8. Right 13-02198 is limited to the irrigation of 246.0 acres in the place of use described above in a single irrigation season.
- ** 9. Right 13-07005 is limited to the irrigation of 352.0 acres in the place of use described above in a single irrigation season.
- * 10. Rights 13-02198 and 13-07005 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 108.6 af, and the irrigation of 355.0 acres.
11. The well previously used under Rights 13-02198 and 13-07005 shall be abandoned in a manner which complies with Department well abandonment rules.

Dated this 24th day of April, 2000.

J. Glen Sayton
Chief, Water Allocation Bureau

Send Recorded Deed to:
Law Office of Travis L. Bowen, P.C.
P.O. Box 11637
Salt Lake City, UT 84147-0637

Mail Tax Notice to:
Jorgensen Farms Limited Partnership
1928 Old Highway 30
Bancroft, ID 83217

STATE OF IDAHO } ss 165947
County of Caribou }
I hereby certify that this instrument was filed at the request
of Caribou Title
at 4:00 o'clock P m this 9th day of
May, 2002 in my office and duly
recorded official Records
Recorder Edie Izatt
Signature Jessie Stephens Deputy 39.00
or

THIS INSTRUMENT FILED FOR RECORD BY
CARIBOU LAND TITLE INC. AS AN
ACCOMMODATION ONLY. IT HAS NOT BEEN
EXAMINED AS TO ITS EXECUTION OR AS
TO ITS EFFECT UPON THE TITLE.

QUIT-CLAIM DEED

FOR VALUE RECEIVED, CARL B. JORGENSEN AND PATRICIA JORGENSEN,
husband and wife; TERRY CARL JORGENSEN, also known as TERRY C.
JORGENSEN and MELONIE JORGENSEN, husband and wife, and KEITH C.
JORGENSEN AND BECKY JORGENSEN, husband and wife, of Grace, County
of Caribou, State of Idaho, do hereby convey, release, remise and
forever quit claim unto JORGENSEN FARMS LIMITED PARTNERSHIP, of
Bancroft, County of Caribou, State of Idaho 83217, for the sum of
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, the
following described premises, to-wit:

Caribou County, Idaho:

SEE EXHIBITS "A" AND "B", attached hereto and by reference
made a part hereof.

together with their appurtenances.

DATED: January 15, 2002.

Carl B. Jorgensen
CARL B. JORGENSEN

Patricia Jorgensen
PATRICIA JORGENSEN

Terry Carl Jorgensen
TERRY CARL JORGENSEN

Melanie Jorgensen
MELONIE JORGENSEN

Keith C. Jorgensen
KEITH C. JORGENSEN

Becky Jorgensen
BECKY JORGENSEN

Section 25: W½SW¼, Lot 3, Also, Beginning at the Northeast corner of Lot 4 of Section 25, and running
 thence South 231 feet;
 thence Southwesterly to a point 255.75 feet South of the Northwest corner of Lot 4;
 thence North 255.75 feet to the Northwest corner of Lot 4;
 thence East along the North line of Lot 4,
 to the point of beginning.
 EXCEPT THEREFROM the following described tracts:
 1. Beginning at the Northeast corner of the SW½SW¼ of Section 25, and running
 thence South on the East boundary line of said SW½SW¼ 255.75 feet;
 thence Northwesterly to a point on the North boundary line of said SW½SW¼ 759 feet West of the point of beginning;
 thence East on the North boundary line of said SW½SW¼ 759 feet, to the point of beginning.
 2. All that portion of the W½SW¼ lying West of Mountain Road.

Township 9 South, Range 40 East of the Boise Meridian:

Section 2: All that portion of the SE½SW¼ lying Southerly of the right of way of the old Highway 30 as presently located.

Section 9: E½, EXCEPT THEREFROM, the following described tract:
 Beginning at the Southeast corner of the S½SE¼ of Section 9, and running
 thence Westerly along the South line of said S½SE¼ a distance of 2631.0 feet, more or less, to the Southwest corner of said S½SE¼;
 thence Northerly along the West line of said S½SE¼ a distance of 107.0 feet, more or less, to a point in a line parallel with and 110.0 feet Northerly from the centerline of said U.S. Highway No. 30, Project No. F-RF-1481(14) Highway Survey;
 thence South 89°58'40" East along said parallel line 2590.0 feet, more or less, to a point opposite Station 665+60 of said Highway Survey;
 thence North 0°01'20" East 80.0 feet to a point in a line parallel with and 190 feet Northerly from the centerline of said Highway Survey;
 thence South 89°58'40" East along said last parallel line 41.0 feet, more or less, to a point in the East line of said S½SE¼;
 thence Southerly along said East line 186.0 feet, more or less, to the point of beginning.
 ALSO, EXCEPT THEREFROM, Beginning at the Northeast corner of said Section 9, and running
 thence South 495 feet;
 thence West 528 feet;
 thence North 33°41'24" West 594.16 feet, more or less, to a

thence North 89°58'40" West along said parallel line 2150.0 feet to a point opposite Station 718+50 of said Highway of said Highway Survey;
 thence South 00°01'20" West 100 feet to a point in a line parallel with and 230.0 feet Southerly from the centerline of said Highway Survey;
 thence North 89°58'40" West along said last parallel line 44.0 feet, more or less, to a point in the West line of said Section 14;
 thence Northerly along the said West line 236.0 feet, more or less, to the point of beginning.

Section 29: SE½SW¼, EXCEPT that portion thereof lying North of the North Extension Company Canal.

Section 30: Lots 3 and 4, E½SW¼.

Section 31: Lot 4, SE½SW¼, E½, EXCEPT THEREFROM, Beginning at a point on the Westerly right of way of a County Road, said point being 1332.6 feet South and 30 feet West of the Northeast corner of Section 31, and running
 thence South along said right of way line 410 feet;
 thence West 111 feet;
 thence North 410 feet;
 thence East 111 feet,
 to the point of beginning.

Section 32: NW¼, NW½SW¼, S½S½.

Section 33: SW½SW¼, E½SW¼, W½SE¼, SE½SE¼.

Township 9 South, Range 43 East of the Boise Meridian:

Section 1: SW½SW¼SW¼.

Section 2: S½SE¼, S½N½SE¼, S½NW½NE½SE¼, S½N½NW½SE¼, NW½NW½NW½SE¼, E½E½NE½SW¼.

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

Section 4: Lots 1, 2, 3, and 4, S½NE¼, S½NW¼.

Section 5: N½, SW¼, EXCEPT THEREFROM, the following described tract:
 Beginning at the Northwest corner of the NW½SW¼ of said Section 5, and running
 thence East 550 feet; thence South 240 feet;
 thence West 550 feet; thence North 240 feet,
 to the point of beginning.

Section 6: Lots 1, 2, 3, and 4.

Section 7: Beginning at the Northeast corner of said Section 7, and running
 thence West 440 feet; thence South 198 feet;
 thence East 440 feet; thence North 198 feet,
 to the point of beginning.

Section 8: NW¼.

Section 14: All, EXCEPT THEREFROM, the following described tracts:

1. Beginning at the Northwest corner of Section 14, and running
 thence South 754 feet, more or less, to the Southeast corner

Idaho Department of Water Resources Receipt

Receipt ID E028131

Payment Amount Date Received Region Status

Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	TRANSFERS	0229	21	63105	1155


Signature Line (Dept. Representative)