

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
SEP 19 2019  
Department of Water Resources  
Eastern Region

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Jeffrey L Buckwater Phone 717-314-3816  
Mailing address 3724 Antelope Rd, Moore, ID 83255 Email klbmasonry@gmail.com

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

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

☒ No Representative

Name of Representative \_\_\_\_\_ Phone \_\_\_\_\_  
Mailing address \_\_\_\_\_ Email \_\_\_\_\_

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

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

Jeffrey L Buckwater  
Signature of Applicant or Authorized Representative

JEFFREY L BUCKWALTER  
Print Name and Title if applicable

9/19/19  
Date

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

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

\_\_\_\_\_  
Date

### A. PURPOSE OF TRANSFER

- ☐ Change point of diversion  
☐ Change nature of use
 ☐ Add diversion point(s)  
☐ Change period of use
 ☒ Change place of use  
☐ Other \_\_\_\_\_
- 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**.  
20 acres will be dried up on property currently not owned by water right owner. Water will be applied to other parts of the place of use to make up for conveyance losses on the Hanrahan Ditch.

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.**

| I.                                                               | Right Number | Amount<br>(cfs/ac-ft) | Nature of Use | Period of Use  | Source & Tributary |
|------------------------------------------------------------------|--------------|-----------------------|---------------|----------------|--------------------|
| All or Part<br><input type="checkbox"/> <input type="checkbox"/> | 34-14355     | 1.9                   | Irrigation    | 05/01 to 10/15 | Antelope Creek     |
| <input type="checkbox"/> <input type="checkbox"/>                | 34-14357     | 0.44                  | Irrigation    | 05/01 to 10/15 | Antelope Creek     |
| <input type="checkbox"/> <input type="checkbox"/>                | 34-14359     | 0.45                  | Irrigation    | 05/01 to 10/15 | Antelope Creek     |
| <input type="checkbox"/> <input type="checkbox"/>                | 34-14361     | 0.76                  | Irrigation    | 05/01 to 10/15 | Antelope Creek     |
| <input type="checkbox"/> <input type="checkbox"/>                | 34-14363     | 0.41                  | Irrigation    | 05/01 to 10/15 | Antelope Creek     |
| <input type="checkbox"/> <input type="checkbox"/>                | 34-14365     | 1.22                  | Irrigation    | 05/01 to 10/15 | Antelope Creek     |
| <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 5.18 cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.52 cubic feet per second and/or \_\_\_\_\_ acre-feet per year.

3. Point(s) of Diversion:

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

| New<br>? | Lot | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Source | Local name or tag # |
|----------|-----|---|---|---|-----|-----|-----|--------|--------|---------------------|
|          |     |   |   |   |     |     |     |        |        |                     |
|          |     |   |   |   |     |     |     |        |        |                     |
|          |     |   |   |   |     |     |     |        |        |                     |
|          |     |   |   |   |     |     |     |        |        |                     |
|          |     |   |   |   |     |     |     |        |        |                     |

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

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

| Twp                              | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Acre<br>Totals |
|----------------------------------|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|----------------|
|                                  |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |                |
| 05N                              | 25E | 11  |      |    |    |    |      |    |    |    | 18   |    |    | 38 | 12   | 39 | 41 | 31 |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |                |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    | 179            |

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:

Diverted from Antelope Creek through Hanrahan Ditch. Pumped from Hanrahan Ditch through mainline to pivot and wheel-line. A magnetic flowmeter has already been installed on the mainline.

- b. Who owns the property at the point(s) of diversion? Dale Huffaker

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:  
Headgate for all water users on the Hanrahan Ditch

- 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: \_\_\_\_\_

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:

Land will be dried up and water will be applied to another area of the place of use.

- 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:

Stockwater. Place of use will also be the same as the proposed irrigation place of use.

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

Yes No

- |                                     |                                     |                                                                                               |
|-------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input 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:

I don't know for sure that the water on the 20 acres being transferred has not been used, but to my knowledge the current property owner did not irrigate the 20 acres being transferred.



# IDAHO Department of Water Resources



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## WATER RIGHT REPORT

10/3/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-14355

| <u>Owner Type</u> | <u>Name and Address</u>                                                           |
|-------------------|-----------------------------------------------------------------------------------|
| Current Owner     | MC CLATCHIE ENTERPRISES INC<br>1805 DERRS CT<br>FREDERICK, MD 21701<br>2404093263 |
| Original Owner    | DARLINGTON LAND & IRRIGATION CO LTD                                               |
| Original Owner    | JOHN WAYNE BELL                                                                   |
| Original Owner    | A W BELL<br>, ID                                                                  |
| Original Owner    | JESSIE BELL<br>1618 SHASTA<br>POCATELLO, ID 83201<br>2082380094                   |

Priority Date: 05/30/1883

Basis: Decreed

Status: Active

| <u>Source</u>         | <u>Tributary</u> |           |                       |               |
|-----------------------|------------------|-----------|-----------------------|---------------|
| ANTELOPE CREEK        | BIG LOST RIVER   |           |                       |               |
| <u>Beneficial Use</u> | <u>From</u>      | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
| IRRIGATION            | 05/01            | 10/15     | 1.9 CFS               |               |
| STOCKWATER            | 01/01            | 12/31     | 0.02 CFS              |               |
| Total Diversion       |                  |           | 1.9 CFS               |               |

Location of Point(s) of Diversion:

ANTELOPE CREEK|NWSENE|Sec. 21|Township 05N|Range 25E|CUSTER County

IRRIGATION Use:

Acre Limit: 95.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 05N      | 25E   | 11      |     | NESW  | 16    |     | SESW  | 35    |     |       |       |     |       |       |
|          |       |         |     | NESE  | 35    |     | NWSE  | 40    |     | SWSE  | 40    |     | SESE  | 33    |

Place of Use Legal Description: STOCKWATER BUTTE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 05N      | 25E   | 11      |     | NESW  |       |     | SESW  |       |     |       |       |     |       |       |
|          |       |         |     | NWSE  |       |     | SWSE  |       |     |       |       |     |       |       |

Total Acres: 199

Conditions of Approval:

1. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
4. USE OF THIS RIGHT WITH WATER RIGHT NOS. 34-14357, 34-14359, 34-14361, 34-14363 AND 34-14365 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 199 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 95.1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. WATER DELIVERED THROUGH HANRAHAN DITCH STOCKWATER, 300 CATTLE
6. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
7. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
8. 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.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

# IDAHO Department of Water Resources



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## WATER RIGHT REPORT

10/3/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-14357

| <u>Owner Type</u> | <u>Name and Address</u>                                                           |
|-------------------|-----------------------------------------------------------------------------------|
| Current Owner     | MC CLATCHIE ENTERPRISES INC<br>1805 DERRS CT<br>FREDERICK, MD 21701<br>2404093263 |
| Original Owner    | DARLINGTON LAND & IRRIGATION CO LTD                                               |
| Original Owner    | JOHN WAYNE BELL                                                                   |
| Original Owner    | A W BELL<br>, ID                                                                  |
| Original Owner    | JESSIE BELL<br>1618 SHASTA<br>POCATELLO, ID 83201<br>2082380094                   |

Priority Date: 05/15/1908

Basis: Decreed

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| ANTELOPE CREEK | BIG LOST RIVER   |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01       | 10/15     | 0.44 CFS              |               |
| STOCKWATER            | 01/01       | 12/31     | 0.02 CFS              |               |
| Total Diversion       |             |           | 0.44 CFS              |               |

Location of Point(s) of Diversion:

ANTELOPE CREEK|NWSENE|Sec. 21|Township 05N|Range 25E|CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
|                 |              |                |            |              |              |            |              |              |            |              |              |            |              |              |

|     |     |    |  |      |    |  |      |    |  |      |    |  |      |    |
|-----|-----|----|--|------|----|--|------|----|--|------|----|--|------|----|
| 05N | 25E | 11 |  | NESW | 16 |  | SESW | 35 |  |      |    |  |      |    |
|     |     |    |  | NESE | 35 |  | NWSE | 40 |  | SWSE | 40 |  | SESE | 33 |

Place of Use Legal Description: STOCKWATER BUTTE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 05N      | 25E   | 11      |     | NESW  |       |     | SESW  |       |     |       |       |     |       |       |
|          |       |         |     | NWSE  |       |     | SWSE  |       |     |       |       |     |       |       |

Total Acres: 199

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. WATER DELIVERED THROUGH HANRAHAN DITCH. STOCKWATER, 300 CATTLE.
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 WATER RIGHT NOS. 34-14355, 34-14359, 34-14361, 34-14363 AND 34-14365 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 199 ACRES IN A SINGLE IRRIGATION SEASON.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
8. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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## WATER RIGHT REPORT

10/3/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-14359

| <u>Owner Type</u> | <u>Name and Address</u>                                                           |
|-------------------|-----------------------------------------------------------------------------------|
| Current Owner     | MC CLATCHIE ENTERPRISES INC<br>1805 DERRS CT<br>FREDERICK, MD 21701<br>2404093263 |
| Original Owner    | DARLINGTON LAND & IRRIGATION CO LTD                                               |
| Original Owner    | JOHN WAYNE BELL                                                                   |
| Original Owner    | A W BELL<br>, ID                                                                  |
| Original Owner    | JESSIE BELL<br>1618 SHASTA<br>POCATELLO, ID 83201<br>2082380094                   |

Priority Date: 05/22/1911

Basis: Decreed

Status: Active

| <u>Source</u>         | <u>Tributary</u> |           |                       |               |
|-----------------------|------------------|-----------|-----------------------|---------------|
| ANTELOPE CREEK        | BIG LOST RIVER   |           |                       |               |
| <u>Beneficial Use</u> | <u>From</u>      | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
| IRRIGATION            | 05/01            | 10/15     | 0.45 CFS              |               |
| STOCKWATER            | 01/01            | 12/31     | 0.02 CFS              |               |
| Total Diversion       |                  |           | 0.45 CFS              |               |

Location of Point(s) of Diversion:

ANTELOPE CREEK|NWSENE|Sec. 21|Township 05N|Range 25E|CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township|Range|Section|Lot|Tract|Acres|Lot|Tract|Acres|Lot|Tract|Acres|Lot|Tract|Acres

|     |     |    |      |    |      |    |      |    |      |    |  |  |  |  |  |
|-----|-----|----|------|----|------|----|------|----|------|----|--|--|--|--|--|
| 05N | 25E | 11 | NESW | 16 | SESW | 35 |      |    |      |    |  |  |  |  |  |
|     |     |    | NESE | 35 | NWSE | 40 | SWSE | 40 | SESE | 33 |  |  |  |  |  |

Place of Use Legal Description: STOCKWATER BUTTE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 05N      | 25E   | 11      |     | NESW  |       |     | SESW  |       |     |       |       |     |       |       |
|          |       |         |     | NWSE  |       |     | SWSE  |       |     |       |       |     |       |       |

Total Acres: 199

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. WATER DELIVERED THROUGH HANRAHAN DITCH. STOCKWATER, 300 CATTLE.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. USE OF THIS RIGHT WITH WATER RIGHT NOS. 34-14355, 34-14357, 34-14361, 34-14363 AND 34-14365 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 199 ACRES IN A SINGLE IRRIGATION SEASON.
5. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
6. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
7. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
8. 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.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

# IDAHO Department of Water Resources



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## WATER RIGHT REPORT

10/3/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-14361

| <u>Owner Type</u> | <u>Name and Address</u>                                                           |
|-------------------|-----------------------------------------------------------------------------------|
| Current Owner     | MC CLATCHIE ENTERPRISES INC<br>1805 DERRS CT<br>FREDERICK, MD 21701<br>2404093263 |
| Original Owner    | DARLINGTON LAND & IRRIGATION CO LTD                                               |
| Original Owner    | JOHN WAYNE BELL                                                                   |
| Original Owner    | A W BELL<br>, ID                                                                  |
| Original Owner    | JESSIE BELL<br>1618 SHASTA<br>POCATELLO, ID 83201<br>2082380094                   |

Priority Date: 09/30/1879

Basis: Decreed

Status: Active

| <u>Source</u>         | <u>Tributary</u> |           |                       |               |
|-----------------------|------------------|-----------|-----------------------|---------------|
| ANTELOPE CREEK        | BIG LOST RIVER   |           |                       |               |
| <u>Beneficial Use</u> | <u>From</u>      | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
| IRRIGATION            | 05/01            | 10/15     | 0.76 CFS              |               |
| STOCKWATER            | 01/01            | 12/31     | 0.02 CFS              |               |
| Total Diversion       |                  |           | 0.76 CFS              |               |

Location of Point(s) of Diversion:

ANTELOPE CREEK|NWSENE|Sec. 21|Township 05N|Range 25E|CUSTER County

IRRIGATION Use:

Acre Limit: 38

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 05N      | 25E   | 11      |     | NESW  | 16    |     | SESW  | 35    |     |       |       |     |       |       |
|          |       |         |     | NESE  | 35    |     | NWSE  | 40    |     | SWSE  | 40    |     | SESE  | 33    |

Place of Use Legal Description: STOCKWATER BUTTE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 05N      | 25E   | 11      |     | NESW  |       |     | SESW  |       |     |       |       |     |       |       |
|          |       |         |     | NWSE  |       |     | SWSE  |       |     |       |       |     |       |       |

Total Acres: 199

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. WATER DELIVERED THROUGH HANRAHAN DITCH. STOCKWATER, 300 CATTLE.
3. USE OF THIS RIGHT WITH WATER RIGHT NOS. 34-14355, 34-14357, 34-14359, 34-14363 AND 34-14365 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 199 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 38 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
5. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
6. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
7. 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.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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## WATER RIGHT REPORT

10/3/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-14363

| <u>Owner Type</u> | <u>Name and Address</u>                                                           |
|-------------------|-----------------------------------------------------------------------------------|
| Current Owner     | MC CLATCHIE ENTERPRISES INC<br>1805 DERRS CT<br>FREDERICK, MD 21701<br>2404093263 |
| Original Owner    | ROWE RODGERS<br>, ID                                                              |
| Original Owner    | JESSIE BELL<br>1618 SHASTA<br>POCATELLO, ID 83201<br>2082380094                   |

Priority Date: 05/01/1904

Basis: Decreed

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| ANTELOPE CREEK | BIG LOST RIVER   |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01       | 10/15     | 0.41 CFS              |               |
| STOCKWATER            | 01/01       | 12/31     | 0.02 CFS              |               |
| Total Diversion       |             |           | 0.41 CFS              |               |

Location of Point(s) of Diversion:

ANTELOPE CREEK|NWSENE|Sec. 21|Township 05N|Range 25E|CUSTER County

IRRIGATION Use:

Acre Limit: 20.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|

|     |     |    |      |    |      |    |      |    |      |    |  |  |  |  |
|-----|-----|----|------|----|------|----|------|----|------|----|--|--|--|--|
| 05N | 25E | 11 | NESW | 16 | SESW | 35 |      |    |      |    |  |  |  |  |
|     |     |    | NESE | 35 | NWSE | 40 | SWSE | 40 | SESE | 33 |  |  |  |  |

Place of Use Legal Description: STOCKWATER BUTTE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 05N      | 25E   | 11      |     | NESW  |       |     | SESW  |       |     |       |       |     |       |       |
|          |       |         |     | NWSE  |       |     | SWSE  |       |     |       |       |     |       |       |

Total Acres: 199

Conditions of Approval:

1. USE OF THIS RIGHT WITH WATER RIGHT NOS. 34-14355, 34-14357, 34-14359, 34-14361 AND 34-14365 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 199 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. WATER DELIVERED THROUGH HANRAHAN DITCH. STOCKWATER, 300 RANGE CATTLE
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
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. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
7. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
8. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

# IDAHO Department of Water Resources



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## WATER RIGHT REPORT

10/3/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-14365

| <u>Owner Type</u> | <u>Name and Address</u>                                                           |
|-------------------|-----------------------------------------------------------------------------------|
| Current Owner     | MC CLATCHIE ENTERPRISES INC<br>1805 DERRS CT<br>FREDERICK, MD 21701<br>2404093263 |
| Original Owner    | DARLINGTON LAND & IRRIGATION CO LTD                                               |
| Original Owner    | JOHN WAYNE BELL                                                                   |
| Original Owner    | A W BELL<br>, ID                                                                  |
| Original Owner    | JESSIE BELL<br>1618 SHASTA<br>POCATELLO, ID 83201<br>2082380094                   |

Priority Date: 05/15/1904

Basis: Decreed

Status: Active

| <u>Source</u>         | <u>Tributary</u> |           |                       |               |
|-----------------------|------------------|-----------|-----------------------|---------------|
| ANTELOPE CREEK        | BIG LOST RIVER   |           |                       |               |
| <u>Beneficial Use</u> | <u>From</u>      | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
| IRRIGATION            | 05/01            | 10/15     | 1.22 CFS              |               |
| STOCKWATER            | 01/01            | 12/31     | 0.02 CFS              |               |
| Total Diversion       |                  |           | 1.22 CFS              |               |

Location of Point(s) of Diversion:

ANTELOPE CREEK|NWSENE|Sec. 21|Township 05N|Range 25E|CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township|Range|Section|Lot|Tract|Acres|Lot|Tract|Acres|Lot|Tract|Acres|Lot|Tract|Acres

|     |     |    |  |      |    |  |      |    |  |      |    |  |      |    |
|-----|-----|----|--|------|----|--|------|----|--|------|----|--|------|----|
| 05N | 25E | 11 |  | NESW | 16 |  | SESW | 35 |  |      |    |  |      |    |
|     |     |    |  | NESE | 35 |  | NWSE | 40 |  | SWSE | 40 |  | SESE | 33 |

Place of Use Legal Description: STOCKWATER BUTTE County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 05N      | 25E   | 11      |     | NESW  |       |     | SESW  |       |     |       |       |     |       |       |
|          |       |         |     | NWSE  |       |     | SWSE  |       |     |       |       |     |       |       |

Total Acres: 199

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
3. WATER DELIVERED THROUGH HANRAHAN DITCH. STOCKWATER, 300 RANGE CATTLE
4. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5. USE OF THIS RIGHT WITH WATER RIGHT NOS. 34-14355, 34-14357, 34-14359, 34-14361 AND 34-14363 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 199 ACRES IN A SINGLE IRRIGATION SEASON.
6. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
7. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
8. 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.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

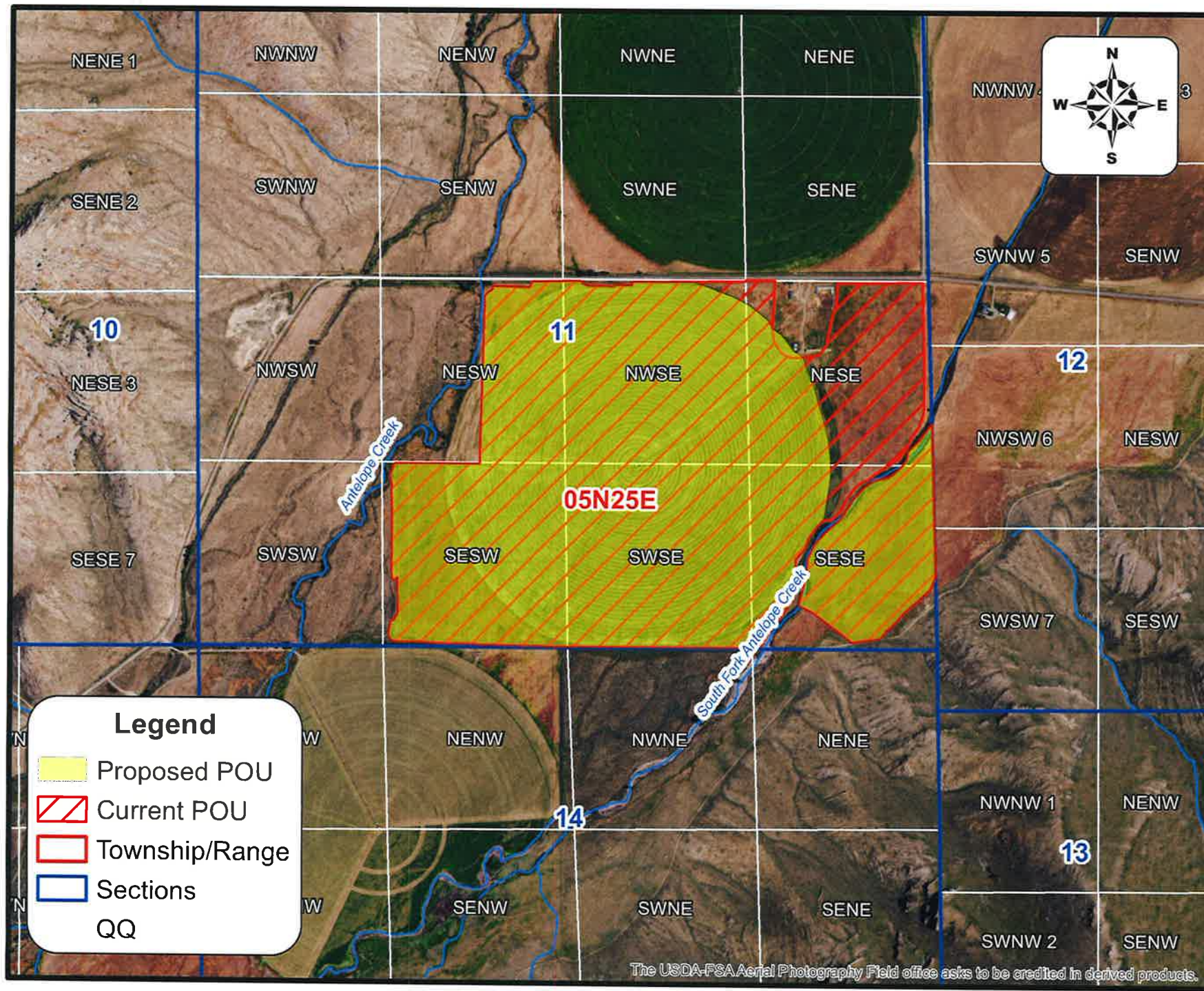
Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False





19343291 / 6011

**BUTTE COUNTY**  
Recorded for:  
**TITLEONE ARCO**  
11:15:21 AM 09-27-2019  
**0000-057523**  
No. Pages: 1 Fee: \$ 15.00  
**SHELLY BLACKNER**  
County Clerk  
Deputy: KIM

## Warranty Deed

For value received, **Betsy Lee Van Etten, an unmarried woman, and Samuel Rigby Wilcox, an unmarried man,**  
the grantor, does hereby grant, bargain, sell, and convey unto

**Kevin Wing and Julee Wing, husband and wife,**

whose current address is **3721 W. Antelope Road, Moore, ID 83255**

the grantee, the following described premises, in **Butte County, Idaho**, to wit:

**Tract 1**

**Township 5 North, Range 25 East of the Boise Meridian, Butte County, Idaho**

**Section 11: Commencing at East 1/4 corner of said Section 11, running thence S. 89°54'06" W., along the East-West Center Section line, 613.57 feet to the True Point of Beginning; running thence S. 89°54'06" W., along said East-West Center Section line, 1023.93 feet; thence S. 00°13'35" W., 28.03 feet, to a point on a curve having a radius of 1417.00 feet and a chord that bears S. 54°52'57" E., 755.39 feet; thence to the Right, along said curve, 764.64 feet through a central angle of 30°55'04"; thence S. 89°40'04" E., 95.06 feet; thence S. 01°03'52" W., 51.38 feet; thence S. 89°40'04" E., 302.43 feet; thence N. 01°03'52" E., 518.09 feet to the True Point of Beginning.**

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

**RECEIVED**  
**OCT 09 2019**  
Department of Water Resources  
Eastern Region



**TitleOne**  
a title & escrow co.

Dated: September 20, 2019

  
Betsy Lee Van Etten

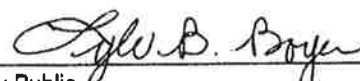
  
Samuel Rigby Wilcox

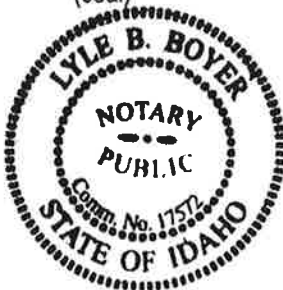
State of Idaho

ss.

County of Butte

On this 20<sup>th</sup> day of September in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared **Betsy Lee Van Etten and Samuel Rigby Wilcox**, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

  
Notary Public  
Residing In: Arco, ID  
My Commission Expires: 6-5-2021  
(seal)





**BUTTE COUNTY**  
Recorded for:  
**TITLEONE ARCO**  
2:37:26 PM 07-03-2019  
**0000-057286**  
No. Pages:3 Fee: \$ 15.00  
**SHELLY BLACKNER**  
County Clerk  
Deputy: KIM

### Warranty Deed

For value received, McClatchie Enterprises, Inc., a Maryland corporation,

the grantor, does hereby grant, bargain, sell, and convey unto

**Jeffrey E. Keller and Angela M. Keller, husband and wife,**

whose current address is **365 W. Spring Meadow Drive, Idaho Falls, ID 83404**

the grantee, the following described premises, in **Butte County, Idaho**, to wit:

**See attached Exhibit A**

**RECEIVED**

**OCT 09 2019**

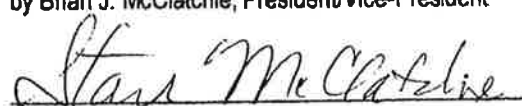
Department of Water Resources  
Eastern Region

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: July 1<sup>st</sup>, 2019

McClatchie Enterprises, Inc.

  
by Brian J. McClatchie, President/Vice-President

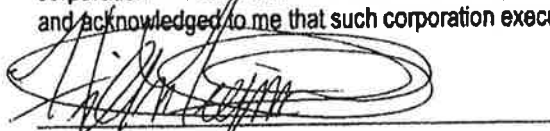
  
by Starr O. McClatchie, Secretary/Treasurer

State of Maryland

ss.

County of Fredrick

On this 1<sup>st</sup> day of July in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Brian J. McClatchie, known or identified to me to be the President/Vice-President of the corporation and Starr O. McClatchie, known or identified to me to be the Secretary/Treasurer of the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Notary Public

Residing In: Maryland

My Commission Expires: 09-29-2022

(seal)

**HILLARY FIGURELLE  
NOTARY PUBLIC  
WASHINGTON COUNTY  
MARYLAND  
My Commission Expires 09-29-2022**

## Exhibit A

### Tract 2

Beginning at the East 1/4 corner of Section 11, Township 5 North, Range 25 East of the Boise Meridian, Butte County, Idaho; running thence S. 89°54'06" W., along the East-West Center Section line, 548.56 feet; thence S. 01°03'52" W., 583.59 feet; thence N. 89°40'04" W., 296.37 feet to a point on a curve having a radius of 1482.00 feet and a chord that bears S. 08°23'35" E., 1180.91 feet; thence to the Right, along said curve, 1214.62 feet, through a central angle of 46°57'30" to a point on the Northwesternly bank of a ditch; thence along said Northwesternly bank the following eleven (11) calls;

- (1) thence N. 61°21'23" E., 58.89 feet;
- (2) thence N. 44°06'47" E., 87.79 feet;
- (3) thence N. 29°59'36" E., 127.70 feet;
- (4) thence N. 48°06'59" E., 191.44 feet;
- (5) thence N. 67°08'04" E., 136.72 feet;
- (6) thence N. 36°37'19" E., 146.55 feet;
- (7) thence N. 34°46'21" E., 98.99 feet;
- (8) thence N. 35°14'53" E., 76.01 feet;
- (9) thence N. 40°09'05" E., 39.46 feet;
- (10) thence N. 22°47'20" E. 42.53 feet;
- (11) thence N. 18°15'31" E., 74.74 feet to the East line of said Section 11;

thence N. 00°52'42" W., along said Section line, 966.93 feet to the Point of Beginning.



Order No.: 19328453 / 5887

**BUTTE COUNTY**  
Recorded for:  
**TITLEONE ARCO**  
10:54:18 AM 07-17-2019  
**0000-057331**  
No. Pages:3 Fee: \$ 16.00  
**SHELLY BLACKNER**  
County Clerk  
Deputy: KIM

**CORRECTED**  
**Warranty Deed**

**BUTTE COUNTY**  
Recorded for:  
**TITLEONE ARCO**  
2:12:33 PM 03-20-2019  
**0000-057017**  
No. Pages:3 Fee: \$ 15.00  
**SHELLY BLACKNER**  
County Clerk  
Deputy: KIM

**RECEIVED**  
**OCT 03 2019**  
Department of Water Resources  
Eastern Region

For value received, **McClatchie Enterprises, Inc.**, a Maryland corporation,  
the grantor, does hereby grant, bargain, sell, and convey unto

**Jeffrey L. Buckwalter and Peggy J. Buckwalter, husband and wife,**

whose current address is **878 Cider Press Road, Manheim, PA 17545**

the grantee, the following described premises, in **Butte County, Idaho**, to wit:

**See attached Exhibit A**

**INCLUDING, but not limited to the following Water Rights:**

|          |                          |
|----------|--------------------------|
| 34-14355 | Priority Date 05/30/1883 |
| 34-14357 | Priority Date 15/15/1908 |
| 34-14359 | Priority Date 05/22/1911 |
| 34-14361 | Priority Date 09/30/1879 |
| 34-14365 | Priority Date 05/15/1904 |
| 34-14363 | Priority Date 05/01/1904 |

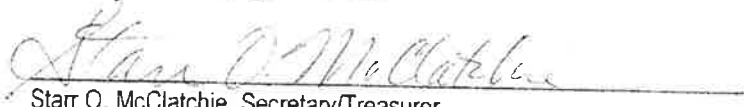
**ALSO INCLUDING BLM Grazing Rights, 215 AUMs: Authorization 1104472**

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: March 15, 2019

**McClatchie Enterprises, Inc.**

  
Brian J. McClatchie, President/Vice President

  
Starr O. McClatchie, Secretary/Treasurer

State of Maryland

County of Frederick ss.

On this 15<sup>th</sup> day of March 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Brian J. McClatchie, known or identified to me to be a President/Vice President of the limited liability company and Starr O. McClatchie, known or identified to me to be a Secretary/Treasurer of the limited liability company that executed the within instrument and acknowledged to me that they executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public  
Residing In: Maryland  
My Commission Expires: 09/08/2020



## Exhibit A

Township 5 North, Range 25 East of the Boise Meridian, Butte County, Idaho  
Section 11: SE1/4 and that portion of the SW1/4 lying South and East of Antelope Creek

LESS and EXCEPTING Tract 1, described as:

Commencing at the East 1/4 corner of said Section 11, Township 5 North, Range 25 East of the Boise Meridian, Butte County, Idaho; running thence S. 89°54'06" W., along the East-West Center Section line, 613.57 feet to the True Point of Beginning; running thence S. 89°54'06" W., along said East-West Center Section line, 1023.93 feet; thence S. 00°13'35" W., 28.03 feet, to a point on a curve having a radius of 1417.00 feet and a chord that bears S. 54°52'57" E., 755.39 feet; thence to the Right, along said curve, 764.64 feet, through a central angle of 30°55'04"; thence S. 89°40'04" E., 95.06 feet; thence S. 01°03'52" W., 51.38 feet; thence S. 89°40'04" E., 302.43 feet; thence N. 01°03'52" E., 518.09 feet to the True Point of Beginning.

ALSO EXCEPTING Tract 2, described as:

Beginning at the East 1/4 corner of Section 11, Township 5 North, Range 25 East of the Boise Meridian, Butte County, Idaho; running thence S. 89°54'06" W., along the East-West Center Section line, 548.56 feet; thence S. 01°03'52" W., 583.59 feet; thence N. 89°40'04" W., 296.37 feet to a point on a curve having a radius of 1482.00 feet and a chord that bears S. 08°23'35" E., 1180.91 feet; thence to the Right, along said curve, 1214.62 feet, through a central angle of 46°57'30" to a point on the Northwesterly bank of a ditch; thence along said Northwesterly bank the following eleven (11) calls;  
(1) thence N. 61°21'23" E., 58.89 feet;  
(2) thence N. 44°06'47" E., 87.79 feet;  
(3) thence N. 29°59'36" E., 127.70 feet;  
(4) thence N. 48°06'59" E., 191.44 feet;  
(5) thence N. 67°08'04" E., 136.72 feet;  
(6) thence N. 36°37'19" E., 146.55 feet;  
(7) thence N. 34°46'21" E., 98.99 feet;  
(8) thence N. 35°14'53" E., 76.01 feet;  
(9) thence N. 40°09'05" E., 39.46 feet;  
(10) thence N. 22°47'20" E., 42.53 feet;  
(11) thence N. 18°15'31" E., 74.74 feet to the East line of said Section 11;  
thence N. 00°52'42" W., along said Section line, 966.93 feet to the Point of Beginning.

INCLUDING Tract 3, A Non-Exclusive Roadway Access Easement described as follows:

Commencing at the East 1/4 corner of Section 11, Township 5 North, Range 25 East of the Boise Meridian, Butte County, Idaho; running thence S. 89°54'06" W., along the East-West Center Section line, 548.56 feet to the True Point of Beginning; running thence S. 01°03'52" W., 583.59 feet; thence N. 89°40'04" W., 296.37 feet to a point on a curve having a radius of 1482.00 feet and a chord that bears S. 08°23'35" E., 1180.91 feet; thence to the Right, along said curve, 1214.62 feet, through a central angle of 46°57'30" to a point on the Northwesterly bank of a ditch; thence S. 61°21'23" W., along said bank, 84.70 feet, to a point on a curve having a radius of 1422.00 feet and a chord that bears N. 07°12'48" W., 1186.57 feet; thence to the Left, along said curve, 1224.01 feet, through a central angle of 49°19'06"; thence N. 11°01'13" W., 98.91 feet; thence S. 89°40'04" E., 302.43 feet; thence N. 01°03'52" E., 518.09 feet; thence N. 89°54'06" E., 65.01 feet to the True Point of Beginning.



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

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

Website: [idwr.idaho.gov](http://idwr.idaho.gov) • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov)

**BRAD LITTLE**  
Governor

**GARY SPACKMAN**  
Director

October 18, 2019

Lucas Yockey  
Watermaster 34  
PO Box 53  
Mackay, ID 83251

RE: Application for Transfer 83687

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman  
Administrative Assistant

Enclosure(s)

State of Idaho  
Department of Water Resources

**RECOMMENDATION OF WATERMASTER**

Application No.: 83687

Applicant's Name: Jeffrey Buckwalter

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.  
b) ☐ I do not oppose approval of this application if it is conditioned as follows:

c) ☐ I oppose approval of this application for the following reasons:

d) ☐ Additional Comment:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Water District No: 34

\_\_\_\_\_  
Watermaster's Signature