

**T4097 LARSEN**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 4097

APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED  
**APPROVED** PART 1

DEC 21 1992

Department of Water Resources

3. KERBS (There are two Part 2 forms to this application)

Name of applicant Blaine Larsen, Blaine Larsen Farms, Inc. Phone (208) 662-5501  
Post Office address P. O. Box 188, Hamer, Idaho 83425

## A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion    ☐ Add diversion point(s)    ☒ Change place of use  
☐ Change nature of use    ☐ Change period of use    ☐ Other \_\_\_\_\_

2. Describe the reason for the proposed changes To provide irrigation water on crop land owned by the Applicant for the 1993 irrigation season. This is one of six transfers filed contemporaneously as a package. See Remarks on page 2.

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

| 1. Right Number | Priority       | Amount<br>(cfs/ac-ft) | Nature of Use     | Period of Use                    |
|-----------------|----------------|-----------------------|-------------------|----------------------------------|
| <u>36-07495</u> | <u>8/13/74</u> | <u>4.58 c.f.s.</u>    | <u>irrigation</u> | <u>Mar. 15</u> to <u>Nov. 15</u> |
| <u>36-02727</u> | <u>3/10/61</u> | <u>5.10 c.f.s.</u>    | <u>irrigation</u> | <u>Mar. 15</u> to <u>Nov. 15</u> |
| _____           | _____          | _____                 | _____             | _____ to _____                   |
| _____           | _____          | _____                 | _____             | _____ to _____                   |

2. Total amount of water being transferred 9.68 cubic feet per second and/or \_\_\_\_\_ acre feet per annum.3. Source of water Groundwater tributary to \_\_\_\_\_4. Point(s) of Diversion: See Attachment 1 and Remarks on page 2.5. Lands Irrigated or place of use. See Attachment 2 and Remarks on page 2.

Total acres \_\_\_\_\_

PART 1

6. General Information:

a. Description of diversion system Wells and pumps with pivot and lateral irrigation systems

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?        Yes        No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The transfer is identical to the transfers of these rights approved in 1990 and 1992. The points of diversion and places of use after change are contained in Attachments 1 and 2, respectively, which accompany all six transfers in this package.

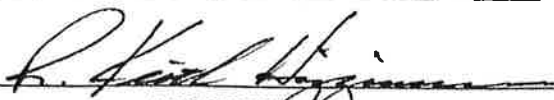
d. Remarks:

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. 36-07495/02727  
And said application is hereby APPROVED, subject to the following limitations and conditions:

see the attached Memorandum Decision and Order.

Witness my hand this 15th day of April, 19 93.

  
R. KEITH HIGGINSON  
Director

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

## APPLICATION FOR TRANSFER OF WATER RIGHT

### PART 2

(Attach one copy for each right)

#### A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 35-07495 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other lease of water rights for 1993

3. Source of water groundwater tributary to Snake River

4. Date or priority August 13, 1974

5. Water is used for the following purpose:

amount 4.58 cfs for irrigation purposes from March 15 to November 15

(cfs/ac-ft)

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

(cfs/ac-ft)

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

(cfs/ac-ft)

6. Total amount of water under right 4.58 cubic feet per second and/or 1,280 acre-feet per annum

7. Point(s) of Diversion:

| Lot | ¼ | ¼  | ¼  | Sec. | Twp. | Rge. | County  | Local name for diversion |
|-----|---|----|----|------|------|------|---------|--------------------------|
|     |   | SE | NW | 36   | 6S   | 22E  | Lincoln |                          |
|     |   |    |    |      |      |      |         |                          |
|     |   |    |    |      |      |      |         |                          |

8. Lands irrigated or place of use.

| Twp. | Rge. | Sec. | NE ¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |           |           | SE¼ |     |     |     | Total |
|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----------|-----------|-----|-----|-----|-----|-------|
|      |      |      | NE¼  | NW¼ | SE¼ | SW¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼       | SE¼       | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 6S   | 22E  | 36   |      |     |     |     | 39  | 39  | 40  | 40  | 40  | 40  | 41, Lot 4 | 41, Lot 3 |     |     |     |     | 320   |
|      |      |      |      |     |     |     |     |     |     |     |     |     |           |           |     |     |     |     |       |
|      |      |      |      |     |     |     |     |     |     |     |     |     |           |           |     |     |     |     |       |
|      |      |      |      |     |     |     |     |     |     |     |     |     |           |           |     |     |     |     |       |

Total acres 320

9. Describe any other water rights used for the same purpose as described above \_\_\_\_\_

**PART 2**

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No. \_\_\_\_\_ If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use.

| Twp. | Rge. | Sec. | NE ¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼  | NW¼ | SE¼ | SW¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use.

| Twp. | Rge. | Sec. | NE ¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼  | NW¼ | SE¼ | SW¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total acres \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_

in case of \_\_\_\_\_ vs. \_\_\_\_\_

dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_

b. License No. 35-02052 issued by the Idaho Department of Water Resources.

c. Claim No. 36-2727 on file with the Idaho Department of Water Resources.

d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other lease of water rights for 1993

3. Source of water groundwater tributary to Snake River

4. Date or priority March 10, 1961

5. Water is used for the following purpose:

amount 5.1 cfs for irrigation purposes from March 15 to November 15

(cfs/ac-ft) amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

(cfs/ac-ft) amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

(cfs/ac-ft) amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

6. Total amount of water under right 5.1 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum

7. Point(s) of Diversion:

| Lot | ¼ | ¼  | ¼  | Sec. | Twp. | Rge. | County  | Local name for diversion |
|-----|---|----|----|------|------|------|---------|--------------------------|
|     |   | SW | NW | 36   | 6S   | 22E  | Lincoln |                          |
|     |   | SE | NE | 36   | 6S   | 22E  | Lincoln |                          |
|     |   |    |    |      |      |      |         |                          |
|     |   |    |    |      |      |      |         |                          |

8. Lands irrigated or place of use.

| Twp. | Rge. | Sec. | NE ¼ |     |     |     | NW ¼ |     |     |     | SW ¼ |     |     |     | SE ¼ |     |     |     | Totals |
|------|------|------|------|-----|-----|-----|------|-----|-----|-----|------|-----|-----|-----|------|-----|-----|-----|--------|
|      |      |      | NEW  | NW¼ | SEK | SWK | NEK  | NW¼ | SWK | SEK | NEK  | NW¼ | SWK | SEK | NEK  | NW¼ | SWK | SEK |        |
| 6S   | 22E  | 36   | 40   | 40  | 40  | 40  |      |     |     |     |      |     |     |     | 40   | 40  | 40  | 40  | 320    |
|      |      |      |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |        |
|      |      |      |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |        |
|      |      |      |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |        |

Total acres 320

9. Describe any other water rights used for the same purpose as described above \_\_\_\_\_

## PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No. \_\_\_\_\_ If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use.

| Twp. | Rge. | Sec. | NE ¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼  | NW¼ | SE¼ | SW¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use.

| Twp. | Rge. | Sec. | NE ¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼  | NW¼ | SE¼ | SW¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------|
|   |                   |                       |                 | to            |
|   |                   |                       |                 | to            |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby 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.

Blaire Larsen  
(Signature of Applicant)

Subscribed and sworn to before me this 17<sup>th</sup> day of December, 19 92.

Sherrill Rodgers  
(Notary Public)

My commission expires 5/15/95

**FOR DEPARTMENT USE ONLY**

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

Received by SC Date 12/21/92 Protest filed by \_\_\_\_\_

Prelim. check by Jim F Fee 50<sup>00</sup> \_\_\_\_\_

Received by SC Date 1/5/93 #C026425 \_\_\_\_\_

Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_

Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

## ATTACHMENT 1: Points of Diversion after requested change

| 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County    | Pump |
|-----|-----|-----|------|------|------|-----------|------|
|     |     |     |      |      |      |           |      |
| SE  | SE  | SE  | 4    | 7N   | 36E  | Jefferson | 49   |
| SE  | NW  | SE  | 11   | 8N   | 36E  | Jefferson | 89   |
| NE  | SW  | SW  | 11   | 8N   | 36E  | Jefferson | 90   |
| NE  | NE  | NW  | 10   | 8N   | 36E  | Jefferson | 93   |
| NE  | NW  | SW  | 3    | 8N   | 36E  | Jefferson | 94   |
| SE  | SW  | SW  | 34   | 9N   | 36E  | Clark     | 95   |
| SE  | SW  | NW  | 34   | 9N   | 36E  | Clark     | 96   |
| SE  | SE  | NE  | 34   | 9N   | 36E  | Clark     | 97   |
| SE  | NE  | NW  | 34   | 9N   | 36E  | Clark     | 98   |
| NW  | SE  | SE  | 27   | 9N   | 36E  | Clark     | 99   |
| NW  | SE  | NE  | 27   | 9N   | 36E  | Clark     | 100  |
| NW  | SE  | NW  | 26   | 9N   | 36E  | Clark     | 101  |
| SE  | NW  | NE  | 26   | 9N   | 36E  | Clark     | 102  |
| NE  | NW  | NE  | 35   | 9N   | 36E  | Clark     | 103  |
| NW  | SW  | SE  | 24   | 9N   | 36E  | Clark     | 104  |
| SE  | SE  | SE  | 24   | 9N   | 36E  | Clark     | 105  |
| NW  | NW  | SW  | 22   | 9N   | 36E  | Clark     | 106  |
| NE  | SW  | NW  | 27   | 9N   | 36E  | Clark     | 107  |
| SE  | SW  | SW  | 27   | 9N   | 36E  | Clark     | 108  |
| SE  | NW  | NE  | 33   | 9N   | 36E  | Clark     | 109  |
| NW  | SE  | NW  | 28   | 9N   | 36E  | Clark     | 110  |
| NW  | NW  | SE  | 31   | 9N   | 36E  | Clark     | 111  |
| SE  | NW  | SE  | 33   | 10N  | 36E  | Clark     | 112  |
| NE  | SW  | SE  | 34   | 9N   | 36E  | Clark     | 113  |
| SW  | NE  | SW  | 25   | 9N   | 36E  | Clark     | 119  |
| SE  | SW  | NE  | 25   | 9N   | 36E  | Clark     | 120  |
| NW  | SW  | NW  | 13   | 8N   | 36E  | Jefferson | 123  |

△

[illegible]



| ATTACHMENT 2: Places of use after requested change |     |     |        |      |     |      |        |     |     |     |        |      |     |     |        |     |     |      |      |       |
|----------------------------------------------------|-----|-----|--------|------|-----|------|--------|-----|-----|-----|--------|------|-----|-----|--------|-----|-----|------|------|-------|
| Twp                                                | Rge | Sec | NE 1/4 |      |     |      | NW 1/4 |     |     |     | SW 1/4 |      |     |     | SE 1/4 |     |     |      | Pump | Acres |
|                                                    |     |     | NE¼    | NW¼  | SW¼ | SE¼  | NE¼    | NW¼ | SW¼ | SE¼ | NE¼    | NW¼  | SW¼ | SE¼ | NE¼    | NW¼ | SW¼ | SE¼  |      |       |
| 7N                                                 | 35E | 4   |        |      |     |      |        |     |     |     |        |      |     |     | 35     |     |     | 25   |      |       |
| 9N                                                 | 36E | 25  |        |      |     |      |        | 12  | 16  |     |        |      |     |     |        |     |     |      |      |       |
|                                                    |     | 26  | 37     | 10.9 | 17  | 40   |        |     |     |     |        |      |     |     |        |     |     |      | #102 | 132.9 |
| 9N                                                 | 36E | 25  |        |      |     |      |        |     |     |     |        |      | 12  |     |        |     |     |      |      |       |
|                                                    |     | 26  |        |      |     |      |        |     |     |     |        |      |     |     |        |     | 4   | 31   |      |       |
|                                                    |     | 35  | 28     | 3    |     |      |        |     |     |     |        |      |     |     |        |     |     |      | #103 | 83    |
|                                                    |     | 36  |        |      |     |      |        | 5   |     |     |        |      |     |     |        |     |     |      |      |       |
| 9N                                                 | 36E | 24  |        |      | 3   |      |        |     |     | 6   | 40     | 14.6 | 16  | 39  |        | 36  | 35  |      |      |       |
|                                                    |     | 25  |        | 3    |     |      | 6      |     |     |     |        |      |     |     |        |     |     |      | #104 | 198.6 |
| 9N                                                 | 36E | 24  |        |      |     |      |        |     |     |     |        |      |     |     |        |     |     | 22.5 |      |       |
|                                                    |     | 25  | 38     |      |     | 5    |        |     |     |     |        |      |     |     |        |     |     |      |      |       |
|                                                    | 37E | 19  |        |      |     |      |        |     |     |     |        |      | 19  |     |        |     |     |      | #105 | 119.5 |
|                                                    |     | 30  |        |      |     |      |        | 33  |     | 2   |        |      |     |     |        |     |     |      |      |       |
| 9N                                                 | 36E | 21  |        |      |     | 23   |        |     |     |     |        |      |     |     | 31     |     |     | 10   |      |       |
|                                                    |     | 22  |        |      |     |      |        |     | 36  | 15  | 17     | 40   | 18  | 3.2 |        |     |     |      | #106 | 193.2 |
| 9N                                                 | 36E | 27  |        |      |     |      | 20     | 39  | 40  | 33  | 8      | 17   |     |     |        |     |     |      |      |       |
|                                                    |     | 28  | 14     |      |     | 23   |        |     |     |     |        |      |     |     | 2      |     |     |      | #107 | 196   |
| 9N                                                 | 36E | 27  |        |      |     |      |        |     |     |     | 7      | 14   | 40  | 36  |        |     |     |      |      |       |
|                                                    |     | 28  |        |      |     |      |        |     |     |     |        |      |     |     | 2.4    |     |     | 23   |      |       |
|                                                    |     | 33  | 16     |      |     |      |        |     |     |     |        |      |     |     |        |     |     |      | #108 | 199.4 |
|                                                    |     | 34  |        |      |     |      | 24     | 37  |     |     |        |      |     |     |        |     |     |      |      |       |
| 9N                                                 | 36E | 33  | 10.2   | 37   | 39  | 14   | 12     |     |     | 15  |        |      |     |     |        |     |     |      | #109 | 127.2 |
| 9N                                                 | 36E | 28  |        |      |     |      | 32     | 32  | 32  | 32  |        |      |     |     |        |     |     |      | #110 | 128   |
| 9N                                                 | 36E | 31  |        |      | 19  |      |        |     | 5   | 39  | 39     | 5    |     |     |        | 19  |     |      | #111 | 126   |
| 10N                                                | 36E | 33  |        |      |     | 23.5 |        |     |     |     |        |      |     |     | 40     |     |     | 25   |      |       |
|                                                    |     | 34  |        |      |     |      |        |     | 23  |     |        | 40   | 25  |     |        |     |     |      | #112 | 176.5 |

ATTACHMENT 2: Places of use after requested change

| Twp | Rge | Sec | NE 1/4 |     |     |     | NW 1/4 |      |     |     | SW 1/4 |     |      |     | SE 1/4 |      |                    |     | Pump | Acres         |
|-----|-----|-----|--------|-----|-----|-----|--------|------|-----|-----|--------|-----|------|-----|--------|------|--------------------|-----|------|---------------|
|     |     |     | NE¼    | NW¼ | SW¼ | SE¼ | NE¼    | NW¼  | SW¼ | SE¼ | NE¼    | NW¼ | SW¼  | SE¼ | NE¼    | NW¼  | SW¼                | SE¼ |      |               |
| 7N  | 35E | 4   |        |     |     |     |        |      |     |     |        |     |      |     | 35     |      |                    | 25  |      |               |
| 8N  | 36E | 3   | 27     | 27  |     |     |        |      |     |     |        |     |      |     |        |      |                    |     |      |               |
| 9N  | 36E | 34  |        |     |     |     |        |      |     |     |        |     | 7    |     |        | 2.4  | 39                 | 25  | #113 | 127.4         |
| 9N  | 36E | 25  |        |     |     |     |        |      |     |     | 39.5   | 14  | 12   | 36  |        | 9    | 7                  |     | #119 | 117.5         |
| 9N  | 36E | 25  |        |     | 30  | 35  |        |      |     |     |        |     |      |     | 26     | 23.4 |                    |     | #120 | 114.4         |
| 8N  | 36E | 13  |        |     |     |     |        | 31.4 |     |     |        |     |      |     |        |      |                    |     |      |               |
|     |     | 12  |        |     |     |     |        |      |     |     |        |     | 31.4 |     |        |      |                    |     | #123 | 62.8          |
|     |     |     |        |     |     |     |        |      |     |     |        |     |      |     |        |      |                    |     |      |               |
|     |     |     |        |     |     |     |        |      |     |     |        |     |      |     |        |      | <b>TOTAL ACRES</b> |     |      | <b>4074.4</b> |

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## RENEWAL OF LEASE OF WATER RIGHTS FOR 1993

This Renewal, made and entered into on the 16<sup>th</sup> day of December, 1992, is an addendum to the Lease of Water Rights entered into on the 16th day of December, 1988 ("Lease"), a copy of which is attached hereto, by and between Kerbs & Routh, a partnership, Lessor, and Blaine Larsen, Larsen of Idaho and Larsen Farms, Lessee.

1. The Lessee hereby exercises and, Lessor hereby accepts, Lessee's option to renew the Lease for a term of one additional year commencing April 1, 1993.

2. In consideration of the mutual covenants contained herein, and in consideration of Ten Dollars (\$10.00) and other valuable consideration in hand paid, the receipt of which is hereby acknowledged by the parties hereto, the parties hereby modify the Lease to provide that the Lessee may renew the Lease at Lessee's option on the same terms and on a year-to-year basis for two additional years following the 1993 irrigation season. The parties waive the restrictions under the Lease in the paragraph entitled OPTION TO RENEW at page 4 which limits Lessee's power to renew until after the expiration of the period of the Lease.

3. The parties hereto contemplate the filing of a one-year transfer to the Lessee's property of the places of use and points of diversion of the water rights described in the Lease for the 1993 irrigation season (the "1993 Transfer"), similar to the one-year transfer referenced in the Lease and approved by the Idaho Department of Water Resources on April 19, 1989. This Renewal is completely contingent upon the approval of the 1993 Transfer.

4. The amount of rent to be paid for this Renewal shall be \$7.00 per acre per year for 640 acres or \$4,480.00. Payment of such sum shall be made on April 1, 1993 or within 10 days following the approval of the 1993 Transfer, whichever is later.

5. All other terms of the Lease not expressly modified herein shall govern the rights and obligations of the parties during the period of this Renewal. (NOTE: This Renewal also clarifies the correct titles of the Lessee)

IN WITNESS WHEREOF, the parties executed this Renewal of Lease on the day and year first above written.

LESSOR:

LESSEE:

KERBS & ROUTH

By: William Kerbs

William Kerbs

Blaine Larsen

Blaine Larsen, individually and on behalf of Larsen Farms and Larsen of Idaho

STATE OF IDAHO )  
 ) ss.  
County of Jefferson )

On this 16<sup>th</sup> day of Dec November, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared BLAINE LARSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

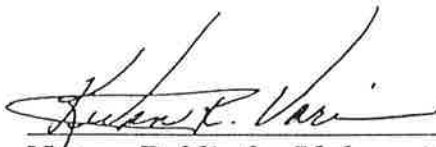
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
Notary Public for Idaho  
Residing at Castroville, Id  
My commission expires: 8-16-97

STATE OF IDAHO )  
 ) ss.  
County of Jefferson )

On this 16<sup>th</sup> day of Dec November, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared BLAINE LARSEN, on behalf of Larsen Farms, and on behalf of Larsen of Idaho, corporations, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of said corporations.

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 for Idaho  
Residing at Castroville, Id  
My commission expires: 8-16-97

LEASE OF WATER RIGHTS

THIS LEASE made and entered into this 16th day of December, 1988, by and between KERBS & ROUTH, a partnership, consisting of William Kerbs and Vern Routh, hereinafter called the LESSOR, and BLAINE LARSEN, LARSEN FARMS OF IDAHO and LARSEN FARM, hereinafter called the LESSEE.

WITNESSETH:

PROPERTY LEASED: The Lessor does hereby lease to the Lessee, and the Lessee does hereby lease from the Lessor those certain water rights and licenses described on Exhibit "A" currently used in connection with the real property described on Exhibit "A". Said lease includes the complete use of said water rights and licenses.

TERM OF LEASE: The term of this lease shall be for one year commencing upon April 1, 1989 and may be renewed on a year to year basis on the same terms and conditions, up to four (4) additional years. This lease or any renewals thereof cannot be terminated except upon written agreement by the Lessor and Lessee.

PURPOSE OF LEASE: The purpose of this lease is to provide water for approximately 620 acres owned by the Lessee and described on Exhibit "B" attached hereto, in order to allow the Lessee to pump irrigation water for said real property.

APPROVAL OF TRANSFER: This lease is conditioned upon the Department of Water Resource's approval of a transfer of the water rights from Lessor's present places of use and points of diversion to places of use and points of diversion located on lands owned or leased by Lessee.

RENTAL PAYMENTS: The Lessee shall pay to the Lessor for the lease of said water rights \$7.00 per acre for 640 acres, or a total of \$4,480.00 per year. The first said lease payment

for the year 1989 shall be payable as follows: \$200.00 upon the execution of this agreement which sum shall be nonfundable; the balance of \$4,280.00 upon the transfer of the place of use and point of diversion by the Department of Water Resources to the property described on Exhibit "B". Any payments for renewal of the lease shall be paid at the time of renewal of the lease.

NON-USE OF WATER RIGHTS BY LESSOR: The Lessor specifically covenants and agrees that during the term of the lease or any renewals of this lease that the Lessor will not pump any water from the well located on the real property described on Exhibit "A" which is the current point of diversion of the water licenses being leased to the Lessee, nor use the water covered by this lease.

TRANSFER OF POINT OF DIVERSION AND PLACE OF USE: The Lessor specifically agrees that during the term of this lease, the Lessee may transfer the location of the point of diversion and place of use of said water rights and water licenses to the real property described in Exhibit "B", and the Lessee does agree to pay all cost of transfer of said water rights during the lease period to said property and at the termination of said lease, to pay the necessary cost to transfer said point of diversion and place of use to the real property described on Exhibit "A". Lessee shall be entitled to file all necessary applications with the Department to transfer the places of use and points of diversion of the water rights on a temporary basis. Lessor shall cooperate in securing such transfers and processing such application(s) and shall execute any documents necessary to achieving the transfer.

SUBMISSION TO STATE DEPARTMENT OF WATER RESOURCES: Lessor specifically agrees that the Lessee shall be permitted to provide an executed copy of this lease to the Department of Water Resources.

ACKNOWLEDGEMENT OF PURPOSE OF LEASE: The Lessor specifically acknowledges that the Lessor has been informed that it is the Lessee's intent to transfer said point of diversion and water use to the real property described on Exhibit "B". Said transfer will be accomplished by moving the point of diversion by drilling a new well or wells on the property described in Exhibit "B" and to use said water for the purpose of irrigating agricultural crops to be grown on said property. The Lessor specifically agrees not to take any actions during the term of this lease, so long as the Lessee is current on their rental to the Lessor, that will in any way interfere with the Lessee's use of said water rights.

BENEFICIAL USE FOR IRRIGATION: During the term of this lease and during any extension, Lessee shall place to beneficial use for irrigation purposes all waters approved for use under the water rights.

NON-LIABILITY OF LESSOR: Lessor shall not be liable for any damage to Lessee sustained by reason of any action of the Department effecting the shutdown of some or all irrigation operations by Lessee under the leased water rights to protect the water rights of other appropriators.

LESSEE'S POSSESSION: During the term of this lease, as long as Lessee is paying the rent and performing the covenants provided for in this lease, the Lessee shall peaceably and quietly hold, occupy and enjoy said water rights.

REMEDY ON DEFAULT: Should the Lessee default in the performance of any of the covenants or conditions of this lease and remain in default for a period of thirty (30) days after receiving written notice of said default from the Lessor, the Lessor may, at its option, terminate this lease, repossess the leased water rights and transfer the same back to lessor's property at the cost of the Lessee. This remedy is not exclusive

EXHIBIT "A"

Water License No. 36-7495 for 320 acres located in the  
W1/2 of Section 36, Township 6 South, Range 22 EBM, Lincoln County,  
Idaho.

Water License No. 37-2652 for 320 acres located in the  
E1/2 of Section 36, Township 6 South, Range 22 EBM, Lincoln County,  
Idaho.

Exhibit B - Places of use and points of diversion on Blaine Larsen's land after requested transfer

| Pump         | Points of Diversion                                    | Places of Use                                                                                                                                | Acreage |
|--------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 8,9<br>10,11 | SE1/4, NE1/4 and NE1/4,<br>SE1/4, Sec. 31, T6N<br>R35E | All of Sec. 31, T6N, R35E                                                                                                                    | 495.3   |
| 49           | SE1/4, SE1/4,<br>Sec. 4, T7N, R36E                     | N1/2, SE1/4 and SE1/4, SE1/4<br>Sec. 4, T7N, R36E<br>E1/2, NE1/4 and NE1/4, SE1/4,<br>Sec. 9, T7N, R36E                                      | 100     |
| 89           | SE1/4, NW1/2, SE1/4,<br>Sec. 11, T8N, R36E             | SE1/4, Sec. 11, T8N, R36E                                                                                                                    | 156     |
| 90           | NE1/4, SW1/4, SW1/4,<br>Sec. 11, T8N, R36E             | SW1/4, Sec. 11, T8N, R36E                                                                                                                    | 198.3   |
| 93           | NE1/4, NE1/4, NW1/4,<br>Sec. 10, T8N, R36E             | NW1/4, NE1/4 and NE1/4, NW1/4,<br>Sec. 10, T8N, R36E<br>SE1/4, SW1/4 and SW1/4, SE1/4<br>Sec. 3, T8N, R36E                                   | 181.7   |
| 94           | NE1/4, NW1/4, SW1/4,<br>Sec. 3, T8N, R36E              | S1/2, NW1/4 and N1/2, SW1/4<br>Sec. 3, T8N, R36E                                                                                             | 201.0   |
| 95           | SE1/4, SW1/4, SW1/4,<br>Sec. 34, T9N, R36E             | N1/2, NW1/4, Sec. 3, T8N, R36E<br>S1/2, SW1/4, Sec. 34, T9N, R36E                                                                            | 124.7   |
| 96           | SE1/4, SW1/4, NW1/4,<br>Sec. 34, T9N, R36E             | S1/2, NW1/4, and<br>N1/2, SW1/4, Sec. 34, T9N, R36E                                                                                          | 141.3   |
| 97           | SE1/4, SE1/4, NE1/4,<br>Sec. 34, T9N, R36E             | SE1/4, NE1/4 and NE1/4, SE1/4,<br>Sec. 34, T9N, R36E<br>SW1/4, NW1/4, and NW1/4, SW1/4<br>Sec. 35, T9N, R36E                                 | 207.0   |
| 98           | SE1/4, NE1/4, NW1/4,<br>Sec. 34, T9N, R36E             | N1/2, NE1/4 and E1/2, NW1/4<br>Sec. 35, T9N, R36E                                                                                            | 221.3   |
| 99           | NW1/4, SE1/4, SE1/4,<br>Sec. 27, T9N, R36E             | SE1/4, Sec. 27, T9N, R36E                                                                                                                    | 136.6   |
| 100          | NW1/4, SE1/4, NE1/4,<br>Sec. 27, T9N, R36E             | NE1/4, Sec. 27, T9N, R36E                                                                                                                    | 164.4   |
| 101          | NW1/4, SE1/4, NW1/4,<br>Sec. 26, T9N, R36E             | NW1/4, Sec. 26, T9N, R36E                                                                                                                    | 164.7   |
| 102          | SE1/4, NW1/4, NE1/4,<br>Sec. 26, T9N, R36E             | NE1/4, Sec. 26, T9N, R36E                                                                                                                    | 132.9   |
| 103          | NE1/4, NW1/4, NE1/4,<br>Sec. 35, T9N, R36E             | S1/2, SE1/4, Sec. 26, T9N, R36E<br>N1/2, NE1/4, Sec. 35, T9N, R36E                                                                           | 83.0    |
| 104          | NW1/4, SW1/4, SE1/4,<br>Sec. 24, T9N, R36E             | E1/2, SW1/4 and N1/2, SE1/4,<br>Sec. 24, T9N, R36E                                                                                           | 198.6   |
| 105          | SE1/4, SE1/4, SE1/4,<br>Sec. 24, T9N, R36E             | SE1/4, SE1/4, Sec. 24, T9N, R36E<br>NE1/4, NE1/4, Sec. 25, T9N, R36E<br>SW1/4, SW1/4, Sec. 19, T9N, R37E<br>NW1/4, NW1/4, Sec. 30, T9N, R37E | 119.5   |
| 106          | NW1/4, NW1/4, SW1/4,<br>Sec. 22, T9N, R36E             | SE1/4, NE1/4 and E1/2, SE1/4,<br>Sec. 21, T9N, R36E<br>S1/2, NW1/4 and SW1/4, Sec. 22,<br>T9N, R36E                                          | 193.3   |
| 107          | NE1/4, SW1/4, NW1/4,<br>Sec. 27, T9N, R36E             | NW1/4 and N1/2, SW1/4, Sec. 27,<br>T9N, R36E<br>E1/2, NE1/4 and NE1/4, SE1/4,<br>Sec. 28, T9N, R36E                                          | 196.0   |

|       |                                             |                                                                                                                                     |         |
|-------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|---------|
| 108   | SE1/4, SH1/4, SH1/4,<br>Sec. 27, T9N, R36E  | SH1/4, Sec. 27, T9N, R36E<br>E1/2, SE1/4, Sec. 28, T9N, R36E<br>NE1/4, NE1/4, Sec. 33, T9N, R36E<br>N1/2, NM1/4, Sec. 34, T9N, R36E | 199.4   |
| 109   | SE1/4, NM1/4, NE1/4,<br>Sec. 33, T9N, R36E  | NE1/4, Sec. 33, T9N, R36E                                                                                                           | 127.2   |
| 110   | NM1/4, SE1/4, NM1/4,<br>Sec. 28, T9N, R36E  | NM1/4, Sec. 28, T9N, R36E                                                                                                           | 128.0   |
| 111   | NM1/4, NM1/4, SE1/4,<br>Sec. 31, T9N, R36E  | SH1/4, NE1/4 and SE1/4, NM1/4<br>and NE1/4, SH1/4 and NM1/4, SE1/4,<br>Sec. 31, T9N, R36E                                           | 126.7   |
| 112   | SE1/4, NM1/4, SE1/4,<br>Sec. 33, T10N, R36E | S1/2, NE1/4 and SE1/4, Sec. 33,<br>T10N, R36E<br>SH1/4, NM1/4 and M1/2, SH1/4,<br>Sec. 34, T10N, R36E                               | 176.5   |
| 113   | NE1/4, SH1/4, SE1/4,<br>Sec. 34, T9N, R36E  | E1/2, SH1/4 and SE1/4, Sec. 34,<br>T9N, R36E<br>N1/2, NE1/4 and NE1/4, NM1/4,<br>Sec. 3 T8N, R36E                                   | 127.4   |
| 119   | SH1/4, NE1/4, SH1/4,<br>Sec. 25, T9N, R36E  | S1/2, NM1/4 and SH1/4, Sec. 25,<br>T9N, R36E                                                                                        | 117.5   |
| 120   | SE1/4, SH1/4, NE1/4,<br>Sec. 25, T9N, R36E  | S1/2, NE1/4 and N1/2, SE1/4,<br>Sec. 25, T9N, R36E                                                                                  | 114.4   |
| 123   | NM1/4, SH1/4, NM1/4,<br>Sec. 13, T8N, R36E  | M1/2, NM1/4, Sec. 13, T8N, R36E                                                                                                     | 62.8    |
| Total |                                             |                                                                                                                                     | 4,729.9 |