

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4776
WATER RIGHT NO(S). 32-02116A/32-07005C/32-07102A

This is to certify that: **BLAINE LARSEN**
CONNIE LARSEN
PO BOX 188
HAMER ID 83425

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 32-02116A : IRRIGATION Priority: 04/02/1964	04/15 to 10/15	0.35 CFS	84.0 AF
Right No. 32-07005C : IRRIGATION Priority: 12/28/1970	04/15 to 10/15	0.16 CFS	39.6 AF
Right No. 32-07102A : IRRIGATION Priority: 07/27/1979	04/15 to 10/15	0.49 CFS	100.5 AF
TOTAL:		1.00 CFS	* 224.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 9, Township 09N, Range 34E
CLARK County -

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	34E	9	NWNE 32	SWNE 32		64
Total number of acres irrigated:						** 64

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
2. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

TRANSFER NO. 4776
WATER RIGHT NO(S). 32-02116A/32-07005C/32-07102A

CONDITIONS OF APPROVAL AND REMARKS

3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 7. Right Nos. 32-02116A, 32-07005C and 32-07102A when combined shall not exceed a total diversion rate of 1.00 cfs, irrigation of 64.0 acres, nor a total combined annual diversion volume of 224.0 af.
- ** 8. Right No. 32-02116A is limited to irrigation of 24.0 acres in the place of use described above in a single irrigation season.
- ** 9. Right No. 32-07005C is limited to irrigation of 11.3 acres in the place of use described above in a single irrigation season.
- ** 10. Right No. 32-07102A is limited to irrigation of 28.7 acres in the place of use described above in a single irrigation season.

Dated this 26th day of

April

, 19

96


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NOS. 32-02116A, 32-07005C & 32-07102A

FROM: PAM SKAGGS/^{C8}STATE OFFICE

SUBJECT: TRANSFER NO. 4776

DATE: April 23, 1996

=====

Transfer No. 4776 was filed to change the place of use under Right Nos. 32-02116A, 32-07005C and 32-07102A. The applicant wants to redistribute the acres within the same QQs to reflect the change from handlines to a center pivot. These rights will cover a half of the circle pivot.

Recommended conditions are the same as already applied under previous Transfer No. 4681; irrigation overlap, measuring device, future annual reporting, permissible place of use, standard transfer conditions and combined limits.

Page _____ of _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 4776

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

Name of applicant BLAINE & CONNIE LARSEN Phone (208) 662-5501

Post Office address P.O. BOX 188, HAMER, ID 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 REARRANGING AC. W/IN PLACE OF USE
2. Describe the reason for the proposed changes ADJUSTING ACREAGE TO FACILITATE A CENTER PIVOT
CONVERTING FROM HEANDLINES TO MAKE IRRIGATION PRACTICES MORE EFFICIENT

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>32-07005C</u>	<u>12/28/1970</u>	<u>0.16 cfs</u>	<u>Irrigation</u>	<u>04/15 to 10/15</u>
<u>32-07102A</u>	<u>07/27/1979</u>	<u>0.49 cfs</u>	<u>Irrigation</u>	<u>04/15 to 10/15</u>
<u>32-02116A</u>	<u>04/02/1964</u>	<u>0.35 cfs</u>	<u>Irrigation</u>	<u>04/15 to 10/15</u>
				to _____

2. Total amount of water being transferred 1.00 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	09	9N	34E	Clark	Pivot 29-A

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
09N	34E	09		32	32														64

Total acres 64

PART 1

6. General Information:

- a. Description of diversion system Center Pivot w/well
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X 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:
Rearranqment of acres to accomodate a center pivot the land located
in the corner of the pivot will not be irrigated. It will be dried up.
- d. Remarks:
This transfer rearranges acres within the same place of use to accomodate
the use of a center pivot all within owned by Blaine Larsen

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

Witness my hand this _____ day of _____, 19 _____

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. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 4681 (32-7005C/7102A/2116A) 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 _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority AS SPECIFIED ON TRANSFER #4681

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
 (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 _____ 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	NE	09	9N	34E	CLARK	PIVOT 29-A

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9N	34E	09		40	24														64

Total acres 64

9. Describe any other water rights used for the same purpose as described above NONE

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				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4681
WATER RIGHT NO(S). 32-02116A/32-07005C/32-07102A

NOV 28 1995

Department of Water Resources
Eastern District Office

This is to certify that: **BLAINE LARSEN**
CONNIE LARSEN
PO BOX 188
HAMER ID 83425

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TOTAL:		1.00 CFS	224.1 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 9, Township 09N, Range 34E
CLARK County

PLACE OF USE: IRRIGATION

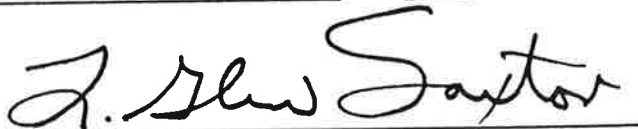
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	34E	9	NWNE 40	SWNE 24		64
Total number of acres irrigated:						* 64

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WATER RIGHT NO(S). 32-02116A/32-07005C/32-07102A

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- *9. Right No. 32-07102A is limited to irrigation of 28.7 acres in the place of use described above in a single irrigation season.

Dated this 20th day of November, 1995.


Chief, Water Alloc. Bureau

EARNEST MONEY AGREEMENT

1. PARTIES:

Seller: See Farms Inc. Guy Erikson, Pres.

Buyer: Blaine and Connie Larsen

2. DESCRIPTION:

The real property is described as:

Township 9 N, Range 33 EBM

Section 31: Lots 3 and 4, E 1/2 SW 1/4 and SE 1/4

Section 32: N 1/2 and SW 1/4

The water rights include:

Water Right License 32-07102 for 5.34 CFS on 313 Acres

Water Right License 31-810/32-2116 for 6.4 CFS on 320 Acres

Water Right License 32-7005 A for 3.2 CFS on 160 Acres

Total of all combined Licenses is not to exceed 2,373 acre feet covering
793 Total Acres

The Irrigation Equipment Includes: 5 Valley Center Pivots and Electrical Control Panels

3. PURCHASE PRICE:

\$1,000 per Irrigated Acre, Including Pivots and Electrical Control Panels for a total of:

\$793,000

\$10,000 Earnest Money Paid to Seller upon execution of this Agreement, the balance to be paid at date of closing per terms of this agreement.

4. EARNEST MONEY PURCHASE CONDITIONS:

Seller is fully aware of Buyers intention to transfer the above mentioned Water Rights to the following described parcel owned by Buyer:

Township 9 N, Range 33 EBM Section 14: W 1/2

Section 15: E 1/2

Section 23: NE 1/4

Buyer agrees to begin the process of transferring the Water Rights covered by this agreement by filing the necessary documents with the Idaho Department of Water Resources at the time of implementation of this earnest money agreement. Buyer further agrees to use all their resources in facilitating this transfer in good faith and agrees to pay all of the costs associated with the transfer without recourse to the Seller if the transfer is denied.

Seller understands that there is the possibility that the transfer of these Water Rights could be protested by third parties and denied transfer by the Idaho Department of Water Resources. Seller further agrees to reimburse to Buyer the Earnest Money Paid to Seller in the event that the transfers of the Water Rights in question are denied.

Seller recognizes that Buyers interest in property is solely for the purchase of the water rights and irrigation equipment, providing it is transferable to Buyers specified property, in the event that transfer is denied this agreement is nul and void and Seller will refund to Buyer the \$10,000 of earnest money.

Buyer agrees that if the transferability question of the water rights is not settled by October 1, 1995 Buyer forfeits 1/2 of the earnest money (\$5,000) and this agreement becomes null and void.

5. PAYMENT TERMS:

At the time the Idaho Department of Water Resources approves the transfer of Sellers Water Rights to Buyers place of use, Buyer will exercise his right to purchase by signing a promissory note with Seller in the amount of \$783,000 with interest at 10% per annum until paid according to the following terms. First payment of \$200,000 due October 15, 1995 plus accrued interest with the balance to be paid in \$200,000 increments on the 15th of each month thereafter until paid in full. Water rights and pivots will remain attached to their current place of use until the aforementioned promissory note has been paid in full.

6. TAX FREE EXCHANGE:

Buyer agrees to accommodate seller, or its assigns, by participating in a 1031 exchange of the property.

7. CONVEYANCE:

The conveyance shall be by general warranty deed.

8. MARKETABLE TITLE:

Seller shall furnish marketable title and shall convey the property free from encumbrances. Seller shall furnish an Owner's Title Insurance Policy, insuring the title for the purchase price, issued by

First American Title Co.. In the event of title objections, by buyer, seller shall have a reasonable time within which to cure them.

On seller's failure to furnish marketable title within a reasonable time, buyer may cancel the contract and receive back its' earnest money deposit.

9. PRORATION'S:

Taxes shall be prorated to January 1, 1996.

10. CLOSING:

The transaction shall be closed at First American Title Co., Rigby, Idaho on or before

Oct 1, 1995

11. DEFAULT:

On default by buyer (as per terms of Section 4. Earnest Money Purchase Condition), seller may retain the earnest money as liquidated damages. On default by seller, buyer may reclaim its earnest money deposit.

12. SIGNATURES:

Date of Seller's signature 20 Apr, 1995

See Farms Inc.

By

Guy Erikson
Guy Erikson, Its President

Date of Buyer's signature: April 20, 1995

By

Blaine Larsen
Blaine Larsen

CLARK COUNTY

TAX NOTICE AND RECEIPT

TAXING DISTRICT

RATE

AMOUNT

1993

KEEP TOP PORTION FOR YOUR RECORDS
PLEASE READ REVERSE SIDE
YOUR CANCELLED CHECK IS YOUR RECEIPT

STATE

COUNTY

.005329284 660

SCHOOL #161

.004518561 560

CEMETERY

.000102101 12

LIBRARY

.000103997 12

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
L 123997	3-00	RP09N33E314810A	515

SEC 31 TWP 9 RGE 33

123997 LOT 3,4, E2SW, SE

WAC 3.600

319.580

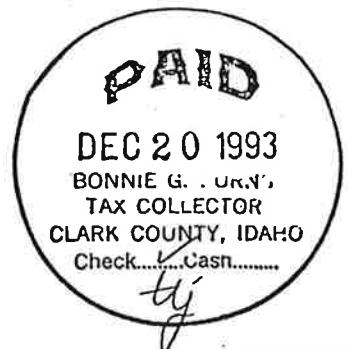
SEE FARMS

TOT ACRES

1757 S 1000 W

DELINQUENT YEAR

REXBURG, ID 83440



TOTAL .010053943 1,246.

COPY

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

CLARK COUNTY

TAX NOTICE AND RECEIPT

TAXING DISTRICT

RATE

AMOUNT

1993

KEEP TOP PORTION FOR YOUR RECORDS
PLEASE READ REVERSE SIDE
YOUR CANCELLED CHECK IS YOUR RECEIPT

STATE

COUNTY

.005329284 1,111.

SCHOOL #161

.004518561 942.

CEMETERY

.000102101 21.

LIBRARY

.000103997 21.

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
L 184843	3-00	RP09N33E320010A	516
P 23630			

SEC 32 TWP 9 RGE 33

208473 N2, SW

WAC 3.600

476.400

SEE FARMS

TOT ACRES

1757 S 1000 W

DELINQUENT YEAR

REXBURG, ID 83440



TOTAL .010053943 2,096.

COPY

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

BETTY KIRKPATRICK
CLARK COUNTY ASSESSOR
P.O. BOX 7
DUBOIS, ID 83423
FORWARD & ADDRESS CORRECTION

IMPORTANT NOTICE-PLEASE READ

PARCEL NO.

RP 09N34E090611 A

PAGE 1 OF 1

TAX CODE

3-00

CATEGORY DESCRIPTION

LOTS/ACRES

MARKET VALUE

1 IRRGTD AG
5 DRY GRAZING
19 WASTE

209.000 AC
102.000 AC
9.000 AC

103,455
5,100

1995

TAXPAYER'S
VALUATION

320.000

108,555 ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 20, 1995

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER

Mail To:

SEC 9 TWP 9 RGE 34
W2NE, N2NW, SE

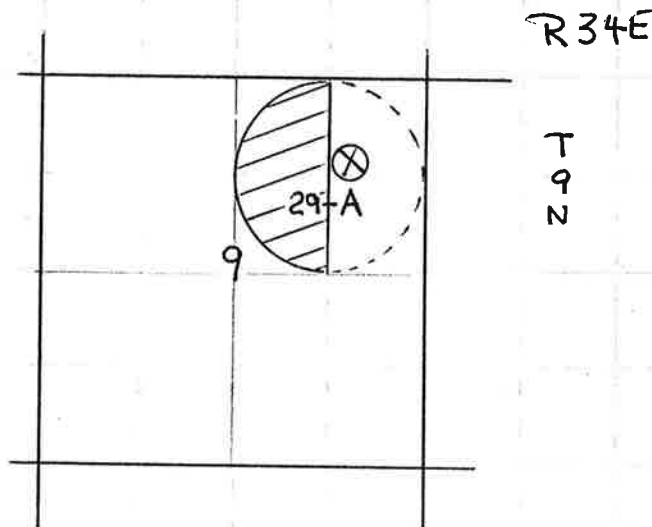
LARSEN BLAINE & CONNIE

FARM 308 & 309
BOX 188
HAMER

ID 83425

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.



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

1	New Nature of Use	Amount (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.

Subscribed and sworn to before me this 10th day of December, 1995.

Blaine Loran
(Signature of Applicant)

Michael S. Breen
(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by KCW Date 12-11-95 Protest filed by _____Prelim. check by KCW Fee 100 E021770 _____Receipted by KCW Date 12-11-95 _____Published in Post Register Copies of protest forwarded by _____Pub. dates March 7:14, 1996 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____