

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 82089**

This is to certify that: 3 STRING CATTLE OF IDAHO LLC  
PO BOX 675  
HEYBURN, ID 83336-0675

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 36-15217           | WR/DECREED          | 3/15/1968            | 0.350 cfs             | 116.4 af                | 29.1              | 80.0               | GROUND WATER  |
| 36-2069            | WR/DECREED          | 4/16/1948            | 0.950 cfs             | 203.6 af                | 50.9              | 80.0               | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 36-15217              | YES          | NO         | YES        | NO             | NO                   | NO                   |
| 36-2069               | YES          | NO         | YES        | NO             | NO                   | NO                   |

**Summary Of Water Rights After the Approved Change**

| <u>Existing Right</u>  | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 36-15217               | 36-17134                         | 0.040 cfs            | 14.4 af                | 3.6               | 280.0              | 36-15217                           | 0.310 cfs             | 102.0 af                | 25.5                        | 70.0                         |
| 36-2069                | 36-17135                         | 0.120 cfs            | 25.6 af                | 6.4               | 280.0              | 36-2069                            | 0.830 cfs             | 178.0 af                | 44.5                        | 70.0                         |
| <b>COMBINED TOTALS</b> |                                  | <b>0.120 cfs</b>     | <b>40.0 af</b>         | <b>10.0</b>       | <b>280.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 30<sup>th</sup> day of January, 2019.

  
Southern Region Manager

**SUPPORT DATA**

**IN FILE # 36-2069**

Transfer No. 82089

**WATER RIGHT NO. 36-15217**  
**As Modified by Transfer No. 82089**

In accordance with the approval of Transfer No. 82089, Water Right No. 36-15217 is now described as follows:

**Right Holder:** WESTERN MORTGAGE & REALTY CO  
 PO BOX 3110  
 PASCO, WA 99301

**Priority Date:** 3/15/1968

**Source:** GROUND WATER

| <u><b>BENEFICIAL USE</b></u> | <u><b>From</b></u> | <u><b>To</b></u> | <u><b>Diversion Rate</b></u> | <u><b>Diversion Volume</b></u> |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| IRRIGATION                   | 3/15               | to 11/15         | 0.310 cfs<br>0.310 cfs       | 102.0 af<br>102.0 af           |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SENWSE                      Sec 7   Twp 08S Rge 27E   BLAINE County

**PLACE OF USE: IRRIGATION**

|                   |     |     | NE   |    |    |    | NW |    |    |    | SW   |    |    |      | SE |    |    |    | Totals |
|-------------------|-----|-----|------|----|----|----|----|----|----|----|------|----|----|------|----|----|----|----|--------|
| Twp               | Rng | Sec | NE   | NW | SW | SE | NE | NW | SW | SE | NE   | NW | SW | SE   | NE | NW | SW | SE |        |
| 08S               | 27E | 7   |      |    |    |    |    |    |    |    | 35.0 |    |    | 35.0 |    |    |    |    | 70.0   |
| Right Acre Limit: |     |     | 25.5 |    |    |    |    |    |    |    |      |    |    |      |    |    |    |    |        |
| POU Total Acres:  |     |     | 70.0 |    |    |    |    |    |    |    |      |    |    |      |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Use of this right with right no. 36-02069 is limited to a total combined diversion rate of 0.83 cfs and a total combined annual diversion volume of 280 af.
2. Right no. 36-02069 is also diverted through point of diversion described above
3. This right is based upon an enlargement of right no. 36-02069 pursuant to section 42-1426, Idaho Code.
4. Use of this right with right no. 36-02069 is limited to the irrigation of a combined total of 70 acres in a single irrigation season.
5. This right is limited to the irrigation of 25.5 acres within the place of use described above in a single irrigation season.

Transfer No. 82089

**WATER RIGHT NO. 36-15217**  
**As Modified by Transfer No. 82089**

**CONDITIONS OF APPROVAL**

6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to section 42-1426, Idaho Code, the earlier priority right is the superior right.



**WATER RIGHT NO. 36-17134**  
**As Modified by Transfer No. 82089**

In accordance with the approval of Transfer No. 82089, Water Right No. 36-17134 is now described as follows:

**Right Holder:** 3 STRING CATTLE OF IDAHO LLC  
 PO BOX 675  
 HEYBURN, ID 83336-0675

**Priority Date:** 3/15/1968

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 3/15        | to 11/15  | 0.040 cfs             | 14.4 af                 |
|                       |             |           | 0.040 cfs             | 14.4 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SENWSE                      Sec 7   Twp 08S Rge 27E   BLAINE County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |      |      |      | NW |    |    |    | SW |    |    |    | SE   |      |      |      | Totals |
|-----|-----|-----|----|------|------|------|----|----|----|----|----|----|----|----|------|------|------|------|--------|
|     |     |     | NE | NW   | SW   | SE   | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 08S | 27E | 7   |    | 40.0 | 40.0 | 40.0 |    |    |    |    |    |    |    |    | 40.0 | 40.0 | 40.0 | 40.0 | 280.0  |

Right Acre Limit: 3.6  
 POU Total Acres: 280.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 3.6 acres within the authorized place of use in a single irrigation season.
2. Rights 36-17134 and 36-17135 when combined shall not exceed a total diversion rate of 0.12 cfs, a total annual maximum diversion volume of 40 af at the field headgate, and the irrigation of 10 acres.
3. Rights 36-17134 and 36-17135 are limited to the irrigation of a specific 10 acres within the 280 acre place of use authorized by these rights in a single irrigation season. The specific 10 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 10 acres to be irrigated within the 280 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 82089

**WATER RIGHT NO. 36-17134**  
**As Modified by Transfer No. 82089**

**CONDITIONS OF APPROVAL**

5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. Prior to the diversion and use of water under Transfer approval 82089, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. This right is based upon an enlargement of Right No. 36-17135 pursuant to Idaho Code § 42-1426.
10. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# **WATER RIGHT NO. 36-2069**

## **As Modified by Transfer No. 82089**

In accordance with the approval of Transfer No. 82089, Water Right No. 36-2069 is now described as follows:

**Right Holder:** WESTERN MORTGAGE & REALTY CO  
PO BOX 3110  
PASCO, WA 99301

**Priority Date:** 4/16/1948

**Source:** GROUND WATER

### **BENEFICIAL USE**

IRRIGATION

### **From**

3/15

to

### **To**

11/15

### **Diversion Rate**

0.830 cfs

0.830 cfs

### **Diversion Volume**

178.0 af

178.0 af

### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER

SENWSE

Sec 7 Twp 08S Rge 27E BLAINE County

### **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW   |    |    |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|------|----|----|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW | SW | SE   | NE | NW | SW | SE |        |
| 08S | 27E | 7   |    |    |    |    |    |    |    |    | 35.0 |    |    | 35.0 |    |    |    |    | 70.0   |

Right Acre Limit: 44.5

POU Total Acres: 70.0

### **CONDITIONS OF APPROVAL**

1. Use of this right with right no. 36-15217 is limited to a total combined diversion rate of 0.83 cfs, and a total combined annual diversion volume of 280 af.
2. Use of this right with right no. 36-15217 is limited to the irrigation of a combined total of 70 acres in a single irrigation season. This right is limited to the irrigation of 44.5 acres within the place of use described above in a single irrigation season.
3. Right includes accomplished change in place of use pursuant to section 42-1425, Idaho Code.
4. Right no. 36-15217 is also diverted through point of diversion described above. Right no. 36-15217 is an enlargement of this right pursuant to section 42-1426, Idaho Code.
5. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 82089

**WATER RIGHT NO. 36-17135**  
**As Modified by Transfer No. 82089**

In accordance with the approval of Transfer No. 82089, Water Right No. 36-17135 is now described as follows:

**Right Holder:** 3 STRING CATTLE OF IDAHO LLC  
 PO BOX 675  
 HEYBURN, ID 83336-0675

**Priority Date:** 4/16/1948

**Source:** GROUND WATER

|                              |                    |                  |                              |                                |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
| IRRIGATION                   | 3/15               | to 11/15         | 0.120 cfs                    | 25.6 af                        |
|                              |                    |                  | 0.120 cfs                    | 25.6 af                        |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER      SENWSE      Sec 7   Twp 08S Rge 27E   BLAINE County

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |      |      |      | NW |    |    |    | SW |    |    |    | SE   |      |      |      | Totals |
|-----|-----|-----|----|------|------|------|----|----|----|----|----|----|----|----|------|------|------|------|--------|
| Twp | Rng | Sec | NE | NW   | SW   | SE   | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 08S | 27E | 7   |    | 40.0 | 40.0 | 40.0 |    |    |    |    |    |    |    |    | 40.0 | 40.0 | 40.0 | 40.0 | 280.0  |

Right Acre Limit: 6.4  
 POU Total Acres: 280.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 6.4 acres within the authorized place of use in a single irrigation season.
2. Rights 36-17134 and 36-17135 when combined shall not exceed a total diversion rate of 0.12 cfs, a total annual maximum diversion volume of 40 af at the field headgate, and the irrigation of 10 acres.
3. Rights 36-17134 and 36-17135 are limited to the irrigation of a specific 10 acres within the 280 acre place of use authorized by these rights in a single irrigation season. The specific 10 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 10 acres to be irrigated within the 280 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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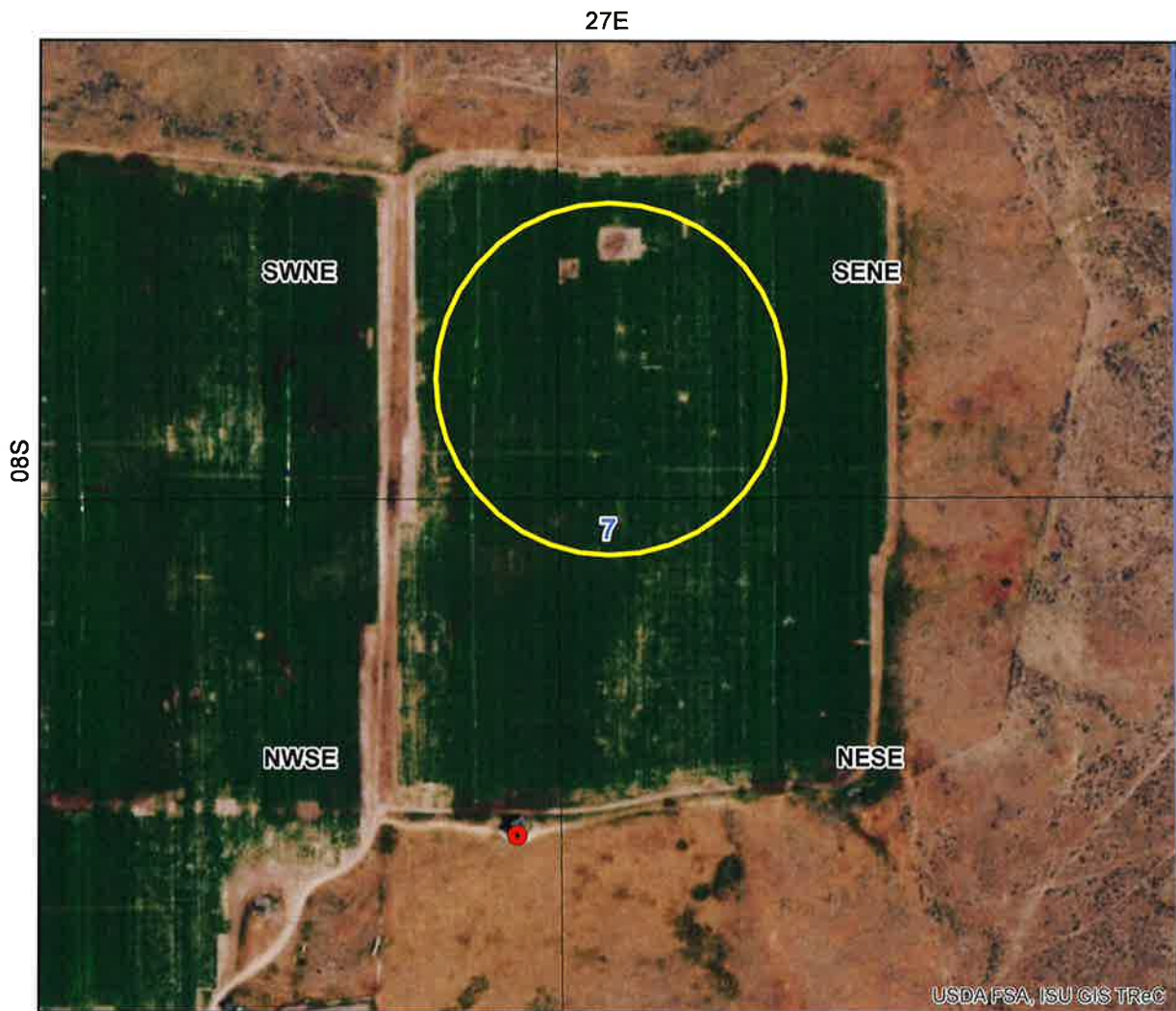
**WATER RIGHT NO. 36-17135**  
**As Modified by Transfer No. 82089**

**CONDITIONS OF APPROVAL**

5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.130.
6. Prior to the diversion and use of water under Transfer approval 82089, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. Right No.36-17134 is an enlargement of this right pursuant to Idaho Code § 42-1426.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho  
Department of Water Resources  
**Attachment to Transfer # 82089**  
36-17134 & 36-17135

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.0475 0.095 0.19 Miles



State of Idaho  
Department of Water Resources  
**Attachment to Transfer # 82089**  
36-2069 & 36-15217

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles



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JAN 02 2018

DEPT OF WATER RESOURCES  
SOUTHERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 82089MINIMUM REQUIREMENTS CHECKLIST  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Name of Applicant(s) 3 String Cattle of Idaho LLCCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A \* Means the item is always required and must be included with the application.

- ☒ \* Completed Application for Transfer of Water Right form, Part 1.
- ☐ \* Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ \* Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ \* Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ \* Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. \*\*
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). \*\*  
\*\* Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at [www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm).
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ \* #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: \_\_\_\_\_

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DEPT OF WATER RESOURCES  
SOUTHERN REGION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of Applicant(s) 3 String Cattle of Idaho LLC Phone 208-608-3096

Mailing address PO Box 675 Heyburn, Idaho 83336 Email \_\_\_\_\_

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

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

☐ No Representative

Name of Representative Greg Sullivan - Brockway Engineering Phone 208-736-8543

Mailing address 2016 North Washington St Ste 4 Twin Falls, Idaho 83301 greg.sullivan@brockwayeng.com

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

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

[Signature]  
Signature of Applicant or Authorized Representative

Karl Studer Member  
Print Name and Title if applicable

12/14/17  
Date

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

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

\_\_\_\_\_  
Date

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 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.2**.

This transfer proposes creating a permissible place of use for 10.0 acres of irrigation water.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT

### PART 1 Continued

**B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

| 1.                                                                          | Right Number | Amount<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| All or Part<br><input type="checkbox"/> <input checked="" type="checkbox"/> | 36-2069      | 0.12/29.4             | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 36-15217     | 0.04/10.6             | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |

Total authorized under rights 2.1 cfs and/or 704 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.12 cubic feet per second and/or 40 acre-feet per year.

3. Point(s) of Diversion:

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

| New ? | Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County | Source       | Local name or tag # |
|-------|-----|---|----|----|-----|-----|-----|--------|--------------|---------------------|
|       |     |   | NW | SE | 7   | 08S | 27E | Blaine | Ground Water |                     |
|       |     |   |    |    |     |     |     |        |              |                     |
|       |     |   |    |    |     |     |     |        |              |                     |
|       |     |   |    |    |     |     |     |        |              |                     |
|       |     |   |    |    |     |     |     |        |              |                     |

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

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

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Acre Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|-------------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |             |
| 08S | 27E | 7   |      | 40 | 40 | 40 |      |    |    |    |      |    |    |    | 40   | 40 | 40 | 40 | 280         |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |

Total Acres (for irrigation use) **280.0\***

\*10.0 Acres will be allowed to be irrigated within 280.0 acre PPU

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT

### PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing well and mainlines. A new small pivot will be installed after the transfer is approved.

- b. Who owns the property at the point(s) of diversion? 3 String Cattle of Idaho LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

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:

Irrigation will continue on 10.0 acres.

- 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:

None

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

**Yes No**

- |                          |                                     |                                                                                               |
|--------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

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AUG 20 2018

DEPT OF WATER RESOURCES  
SOUTHERN REGION

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

**A. DESCRIPTION OF RIGHT(S) AS RECORDED**

**For each water right** listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ [www.idwr.idaho.gov](http://www.idwr.idaho.gov), Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

**B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES**

- ☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ [www.idwr.idaho.gov](http://www.idwr.idaho.gov), Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 36-2069

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per  $\frac{1}{4}$   $\frac{1}{4}$  tract.)

[illegible]



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

**Current Water Right No.:** 36-2069

**Current Owner:** 3 STRING CATTLE OF IDAHO LLC

**Priority Date:** 4/16/1948

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

**Tributary**

GROUND WATER

**Beneficial Use**

**From To**

**Diversion Rate**

**Annual Volume**

IRRIGATION

3/15 to 11/15

2.1 CFS

Total Diversion

2.1 CFS

**Location of Point(s) of Diversion**

GROUND WATER

SE1/4NW1/4SE1/4

Sec. 7, Twp 08S, Rge 27E B.M.

BLAINE County

**Place of Use**

**IRRIGATION Within BLAINE County**

|              |      |       |              |      |       |
|--------------|------|-------|--------------|------|-------|
| T08S R27E S7 | SWNE | 20.00 | T08S R27E S7 | SENE | 11.00 |
| T08S R27E S7 | NESW | 35.00 | T08S R27E S7 | SESW | 35.00 |
| T08S R27E S7 | NESE | 15.00 | T08S R27E S7 | NWSE | 37.00 |
| T08S R27E S7 | SWSE | 23.00 |              |      |       |

Total Acres: 176

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NO. 36-15217 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.10 CFS, AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 704 AF.
3. RIGHT NO. 36-15217 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.  
RIGHT NO. 36-15217 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
4. USE OF THIS RIGHT WITH RIGHT NO. 36-15217 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 176 ACRES IN A SINGLE IRRIGATION SEASON.  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 112 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.

Decreed Date: 8/27/2001

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

**Current Water Right No.: 36-15217**

Current Owner: 3 STRING CATTLE OF IDAHO LLC

Priority Date: 3/15/1968

Origin: Water Right

Status: Active

Basis: Decreed

**Source**

**Tributary**

GROUND WATER

**Beneficial Use**

**From To**

**Diversion Rate**

**Annual Volume**

IRRIGATION

3/15 to 11/15

0.76 CFS

Total Diversion

0.76 CFS

**Location of Point(s) of Diversion**

GROUND WATER

SE1/4NW1/4SE1/4

Sec. 7, Twp 08S, Rge 27E B.M.

BLAINE County

**Place of Use**

**IRRIGATION Within BLAINE County**

|              |      |       |              |      |       |
|--------------|------|-------|--------------|------|-------|
| T08S R27E S7 | SWNE | 20.00 | T08S R27E S7 | SENE | 11.00 |
| T08S R27E S7 | NESW | 35.00 | T08S R27E S7 | SESW | 35.00 |
| T08S R27E S7 | NESE | 15.00 | T08S R27E S7 | NWSE | 37.00 |
| T08S R27E S7 | SWSE | 23.00 |              |      |       |

Total Acres: 176

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-02069 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.10 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 704 AF.
2. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 64 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. RIGHT NO. 36-02069 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
4. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-02069 PURSUANT TO SECTION 42-1426, IDAHO CODE.
5. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
6. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
7. USE OF THIS RIGHT WITH RIGHT NO. 36-02069 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 176 ACRES IN A SINGLE IRRIGATION SEASON.

Decreed Date: 1/2/2002

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

**IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES**

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 36-15217

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per  $\frac{1}{4}$   $\frac{1}{4}$  tract.)

[illegible]

|                                  |      |
|----------------------------------|------|
| Total Acres (for irrigation use) | 10.0 |
|----------------------------------|------|

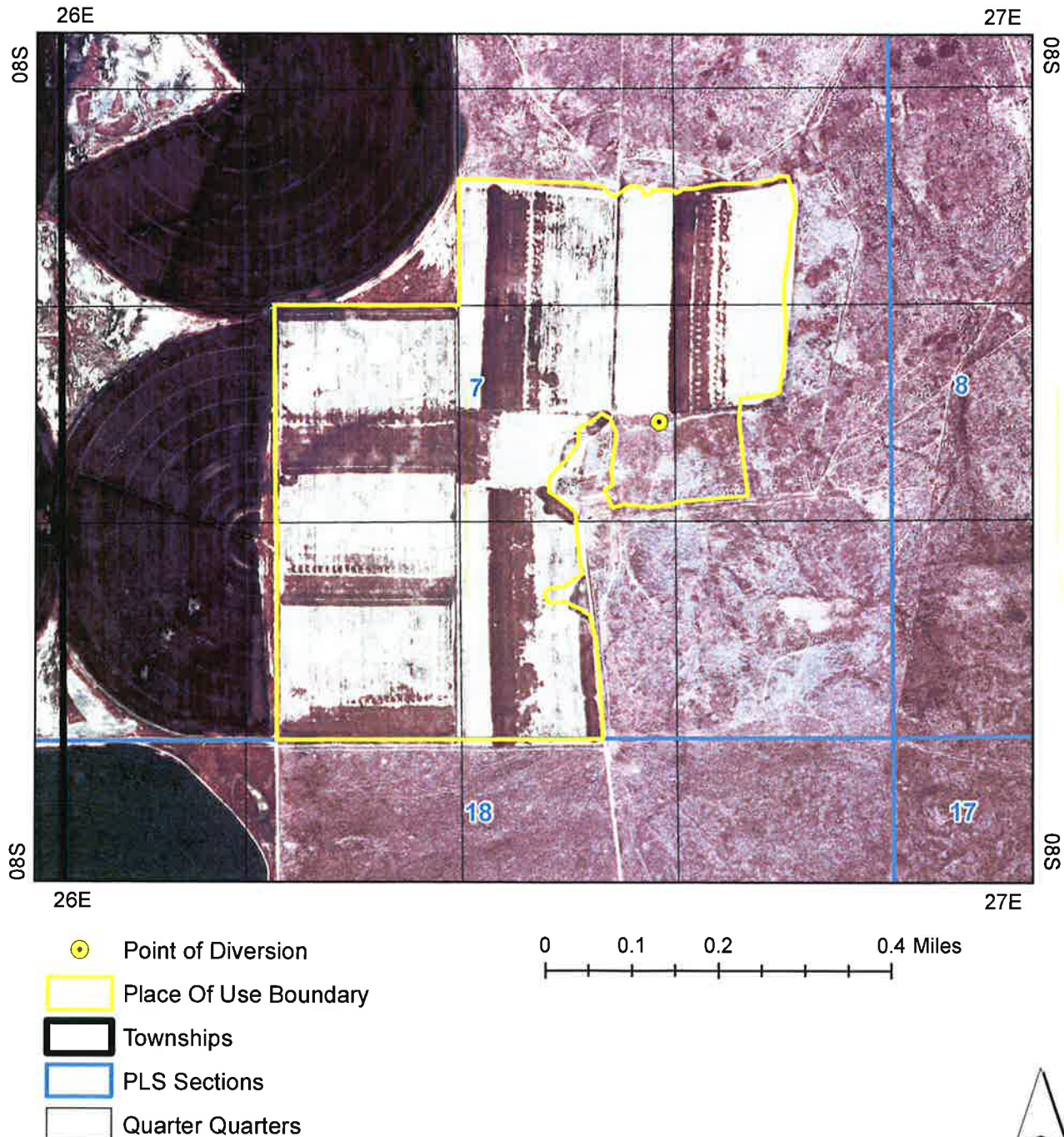


State of Idaho  
Department of Water Resources

# Water Right 36-2069

## IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

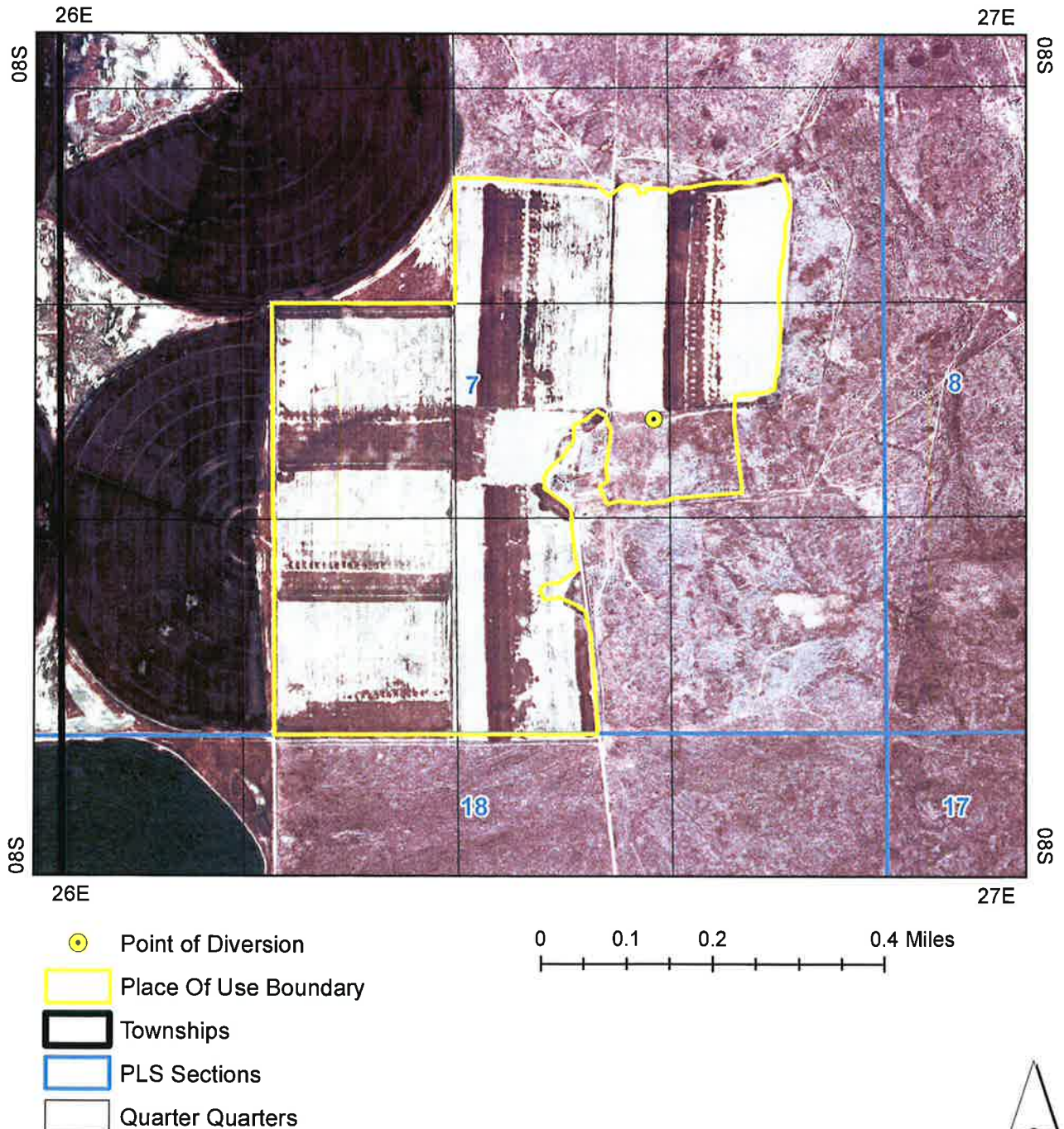


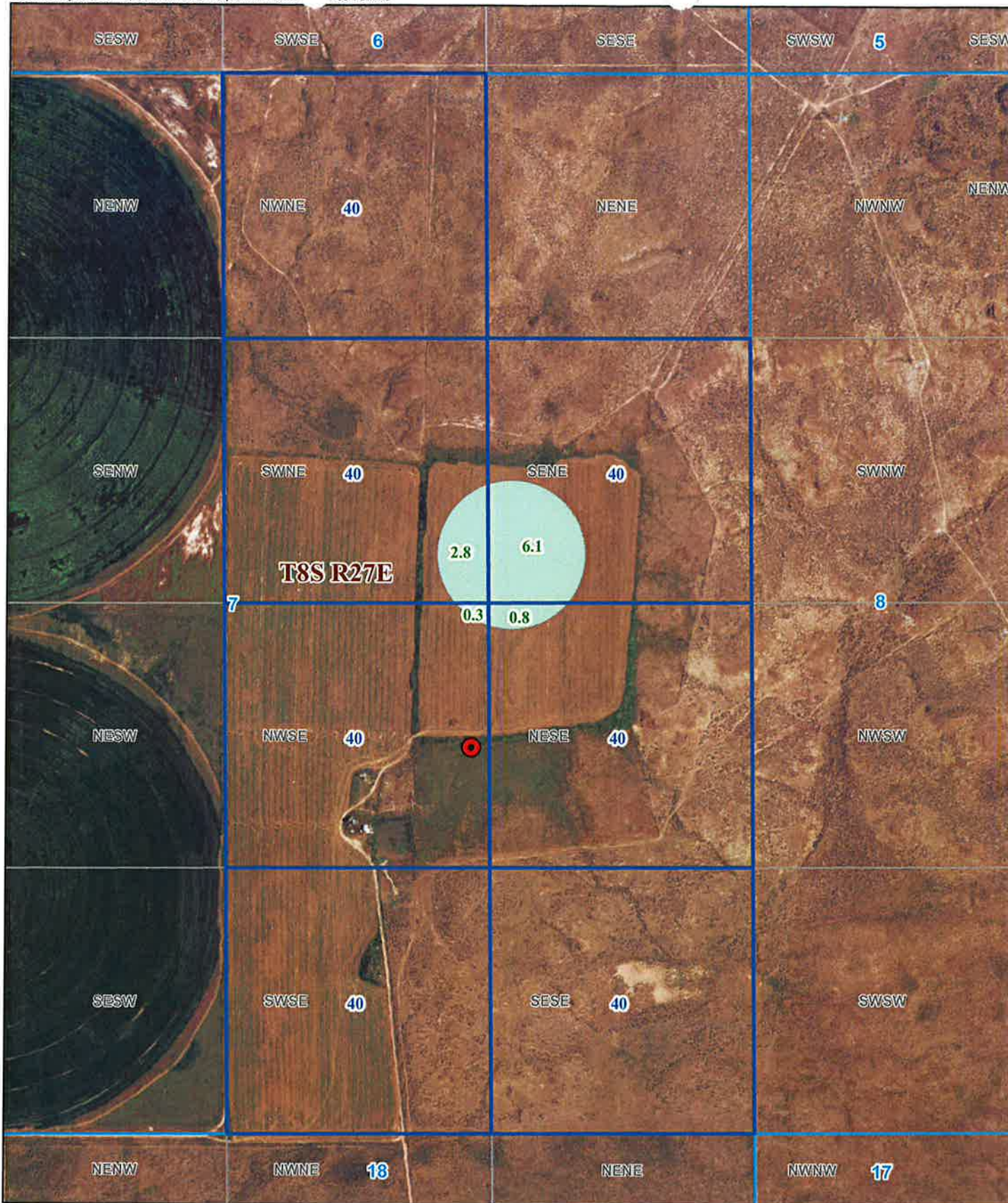
State of Idaho  
Department of Water Resources

# Water Right 36-15217

## IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





0 125250 500 Feet

### 3 STRING CATTLE OF IDAHO LLC

BROCKWAY ENGINEERING, PLLC.  
GWS - Date: 8/29/2017

10.0 ACRES from 36-2069 & 36-15217  
NAIP 2015 AERIAL

**TRANSFER 82089**

#### Legend

- POD
- 10.0 Acres Remaining
- Irwin Farm PPU



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FEB 15 2018

DEPT OF WATER RESOURCES  
SOUTHERN REGION

QUITCLAIM DEED

EC-1645

For Value Received

Steven D. Young, also known as Steven Young and Maria Young, also known as Marie Young, husband and wife, and Roy M. Young, also known as Roy Young, also known as Roy Milton Young, a married man dealing with his sole and separate property, S & R Inv., an Idaho general partnership consisting of Steven D. Young and Maria Young, husband and wife, and Roy M. Young, a married man dealing with his sole and separate property, and Young and Young Of Idaho, Inc., who acquired title as Desert View Farms, Inc., an Idaho corporation

Hereinafter called the grantors, hereby remises, releases, and forever Quitclaims unto

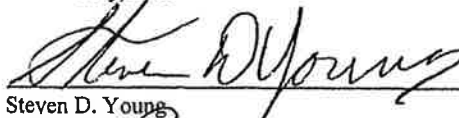
Western Mortgage & Realty Company, a Washington corporation  
ADDRESS: 6610 W. Court St., Suite #B  
Pasco, WA 99301

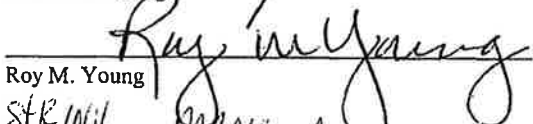
Hereinafter called the grantee, the following described premises, in Blaine County, Idaho to-wit:

All right, title and interest in and to all water rights which are appurtenant to the real property described on attached Exhibit "A"

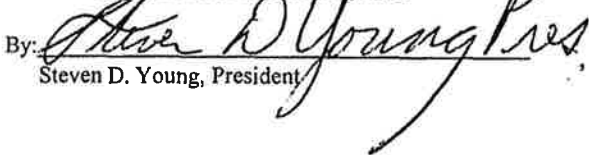
TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

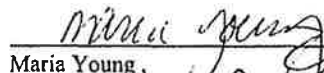
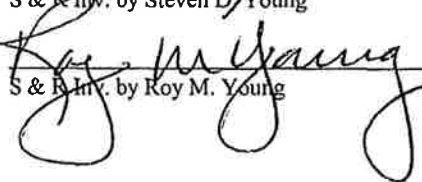
Dated: July 7, 2008

  
Steven D. Young

  
Roy M. Young  
S & R Inv. by Maria Young

YOUNG AND YOUNG OF IDAHO, INC.

By:   
Steven D. Young, President

  
Maria Young,  
S & R Inv. by Steven D. Young  
  
S & R Inv. by Roy M. Young

Instrument # 559684

HAILEY, BLAINE, IDAHO

7-11-2008 11:43:00 No. of Pages: 8

Recorded for : LAND TITLE & ESCROW, INC

JOLYNN DRAGE Fee: 24.00

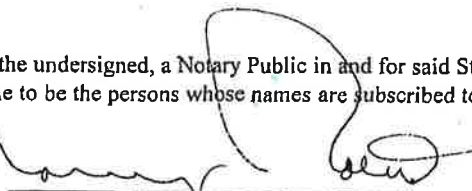
Ex-Officio Recorder Deputy

Index to: WTYOICORP DEED

STATE OF IDAHO )  
) SS.  
COUNTY OF Cassia )

On this 7<sup>th</sup> day of July, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven D. Young and Maria Young, 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.

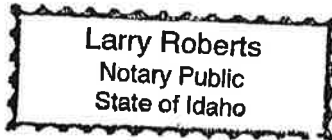
Larry Roberts  
Notary Public  
State of Idaho

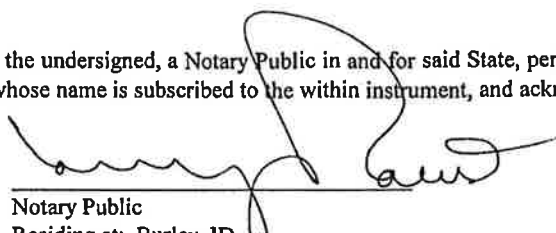
  
Notary Public  
Residing at: Burley, ID  
My Commission expires: 6-30-09

TRANSFER 82089

STATE OF IDAHO )  
 ) ss.  
COUNTY OF Cassia )

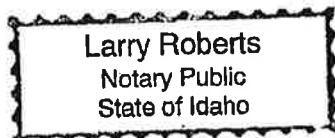
On this 7<sup>th</sup> day of July, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Roy M. Young, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

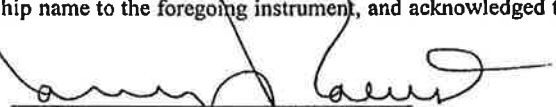


  
Notary Public  
Residing at: Burley, ID  
My Commission expires: 6-30-09

STATE OF IDAHO )  
 ) ss.  
COUNTY OF Cassia )

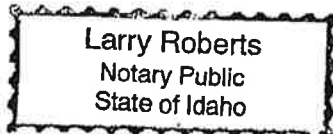
On this 7<sup>th</sup> day of July, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven D. Young and Maria Young, known or identified to me to be the partner or one of the partners in the Partnership of S & R Inv., and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said Partnership name.

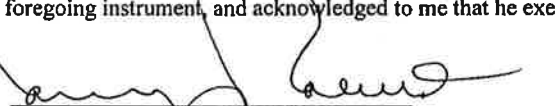


  
Notary Public  
Residing at: Burley, ID  
My Commission expires: 6-30-09

STATE OF IDAHO )  
 ) ss.  
COUNTY OF Cassia )

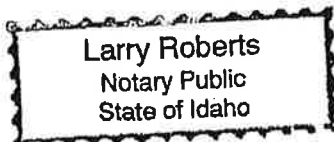
On this 7<sup>th</sup> day of July, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Roy M. Young, known or identified to me to be the partner or one of the partners in the Partnership of S & R Inv., and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.



  
Notary Public  
Residing at: Burley, ID  
My Commission expires: 6-30-09

STATE OF IDAHO )  
 ) ss.  
COUNTY OF Cassia )

On this 7<sup>th</sup> day of July, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven D. Young, known or identified to me to be the President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



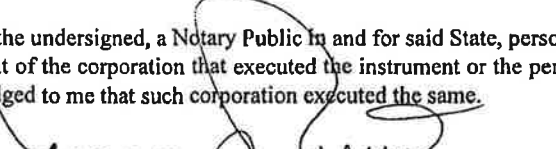
  
Notary Public  
Residing at: Burley, ID  
My Commission expires: 6-30-09

EXHIBIT "A"

BLAINE COUNTY PROPERTY:

PARCEL NO. 53:

TOWNSHIP 7 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

|             |                                                                                                                              |
|-------------|------------------------------------------------------------------------------------------------------------------------------|
| Section 20: | NE $\frac{1}{4}$ ; S $\frac{1}{4}$ ; AND S $\frac{1}{4}$ NW $\frac{1}{4}$                                                    |
| Section 21: | ALL                                                                                                                          |
| Section 22: | NE $\frac{1}{4}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$ ; AND W $\frac{1}{2}$                                                    |
| Section 27: | W $\frac{1}{2}$                                                                                                              |
| Section 28: | ALL                                                                                                                          |
| Section 29: | NE $\frac{1}{4}$ ; S $\frac{1}{2}$ ; S $\frac{1}{2}$ NW $\frac{1}{4}$ ; AND NE $\frac{1}{4}$ NW $\frac{1}{4}$                |
| Section 32: | E $\frac{1}{2}$ ; N $\frac{1}{2}$ NW $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$ AND SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| Section 33: | ALL                                                                                                                          |
| Section 34: | W $\frac{1}{2}$                                                                                                              |

TOWNSHIP 8 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, BLAINE COUNTY IDAHO

Section 4: Lots 1, 2, 3, all of Lot 4, EXCEPT beginning at a point 25 feet South and 25 feet East of the Government Survey Stake placed on the Northwest corner of Section 4, Township 8 South, Range 26 East, Boise Meridian; thence

70 yards due South; thence 140 yards due East; thence

70 yards due North and; thence

140 yards due West to the place of beginning, designated as Tax Lot 1175 on Blaine County Tax Assessor's Rolls.

$S\frac{1}{4}N\frac{1}{4}$ ;  $N\frac{1}{4}SE\frac{1}{4}$ ;  $SW\frac{1}{4}SE\frac{1}{4}$ ;  $E\frac{1}{4}SW\frac{1}{4}$ ;  $W\frac{1}{4}SW\frac{1}{4}$

Section 5: Lots 1, 2, 3,  $SE\frac{1}{4}NE\frac{1}{4}$ ;  $E\frac{1}{4}SE\frac{1}{4}$

Section 8:  $NE\frac{1}{4}NE\frac{1}{4}$

Section 9:  $N\frac{1}{4}NW\frac{1}{4}$ ;  $NW\frac{1}{4}NE\frac{1}{4}$

TOWNSHIP 8 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, STATE OF IDAHO

A parcel of land being a portion of the  $SE\frac{1}{4}NE\frac{1}{4}$  of Section 8, and part of the  $SW\frac{1}{4}NW\frac{1}{4}$  of Section 9 more particularly described as follows:

Beginning at the Northwest corner of the  $SW\frac{1}{4}NW\frac{1}{4}$  of Section 9 of Township 8 South, Range 26 East, Boise Meridian, said corner marked by a 5/8" rebar which shall be the Point of Beginning; thence South 89°59'48" East along the North Line of the  $SW\frac{1}{4}NW\frac{1}{4}$  for a distance of 1320.27 feet to the Northeast corner of the  $SW\frac{1}{4}NW\frac{1}{4}$  marked by a 5/8" rebar; thence

South 00°03'42" East along the East line of the  $SW\frac{1}{4}NW\frac{1}{4}$  for a distance of 1022.00 feet to a 1/2" rebar on the North right-of-way of the Union Pacific Railroad; thence

North 73°06'18" West along said line for a distance of 2724.50 feet; thence

Continuing along said line along a tangent curve to the right for a distance of 37.54 feet to a 1/2" rebar on the West line of the  $SE\frac{1}{4}NE\frac{1}{4}$  of Section 8, said curve having a radius of 17044.52 feet and a central angle of 0°07'34" and a long chord bearing of North 73°02'31" West for a distance of 37.54 feet; thence

North 00°03'57" West along the West line of the  $SE\frac{1}{4}NE\frac{1}{4}$  for a distance of 217.84 feet to the Northwest corner of the  $SE\frac{1}{4}NE\frac{1}{4}$  marked by a 5/8" rebar; thence

North 89°56'05" East along the North line of the  $SE\frac{1}{4}NE\frac{1}{4}$  for a distance of 1321.70 feet to the Point of Beginning.

Also known as Tax Lot 7618 on the Blaine County Assessor's Rolls.

PARCEL 54:

TOWNSHIP 8 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 6: A portion of the S½ more particularly described as follows:

Beginning at the Southwest section corner of Section 6 of Township 8 South, Range 26 East, Boise Meridian, said corner marked by a U.S. General Land Office iron pipe with a brass cap on top which shall be the Point of Beginning; thence

North 00°06'35" East along the West section line for a distance of 315.24 feet to the Southeast corner of Section 1 of Township 8 South, Range 25 East, Boise Meridian, said corner marked by a U.S. General Land Office iron pipe with a brass cap on top; thence

North 00°30'58" East along the West section line for a distance of 857.12 feet to the South Rail Road Right of way; thence

South 73°07'43" East along said right of way for a distance of 4029.09 feet to the South section line; thence

South 89°57'20" West along said line for a distance of 1184.90 feet to the South ¼ section corner; thence

South 89°57'20" West along the South section line for a distance of 2679.09 feet to the Point of Beginning.

Also known as Tax Lot 7908 on the Blaine County Assessor's Rolls.

AND

Section 7: Lots 1, 2, 3, 4, E½W½, SE¼ and that part of the NE¼ more particularly described as follows:

Beginning at the Northwest corner of the NE¼ of said Section 7 which point shall be known as the True Point of Beginning; thence

North 89°57'20" East along the section line for 1184.90 feet to a point on the Southerly line of the railroad right-of-way, thence

South 73°07'43" East along the railroad right-of-way for 1518.11 feet to a point on the East line of said Section 7; thence

South 00°05'59" East for 2200.24 feet to the Southeast corner of the NE¼; thence

South 89°57'41" West for 2639.20 feet to the Southwest corner of the NE¼; thence

North 00°02'59" West for 2641.68 feet to the True Point of Beginning

Also known as Tax Lot 7909 on the Blaine County Assessor's Rolls.

AND

Sections 8 and 9:

That part of Section 8 and  $W\frac{1}{2}SW\frac{1}{4}$ ,  $SW\frac{1}{4}NW\frac{1}{4}$  of Section 9 that lies South of the railroad right-of-way, more particularly described as follows:

Beginning at the Southwest corner of Section 8, Township 8 South, Range 26 East, Boise Meridian, Blaine County, Idaho which point shall be known as the True Point of Beginning; thence North  $00^{\circ}05'59''$  West along the West section line for 4842.19 feet to a point on the Southerly right-of-way of the railroad; thence

South  $73^{\circ}07'43''$  East for 446.83 feet to a point; thence

along a curve with a delta angle of  $01^{\circ}41'37''$  with a radius of 18579.79 and an arc of 549.20, a tangent of 274.62, chord of 549.18 with a chord bearing of South  $72^{\circ}16'55''$  East to a point; thence South  $71^{\circ}26'06''$  East for 1787.15 feet to a point on the East line of the  $NE\frac{1}{4}$  of said Section 8; thence

South  $00^{\circ}04'52''$  East for 10.17 feet; thence

North  $89^{\circ}55'43''$  East for 30.14 feet; thence

South  $71^{\circ}26'06''$  East along the Southerly railroad right-of-way for a distance of 834.10 feet; thence along a Curve with a delta angle of  $01^{\circ}40'15''$  with a radius of 17244.52 and an arc of 502.85, a tangent of 251.44, chord of 502.83 with a chord bearing South  $72^{\circ}16'43''$  East to a point; thence

South  $73^{\circ}06'50''$  East for a distance of 2785.47 feet to a point on the East line of the  $SW\frac{1}{4}NW\frac{1}{4}$  of Section 9, Township 8 South, Range 26 East, Boise Meridian, Blaine County, Idaho; thence South  $00^{\circ}04'11''$  East for 89.47 feet to the Northeast corner of the  $W\frac{1}{2}SW\frac{1}{4}$ ; thence

South  $00^{\circ}04'45''$  East along the East Line of the  $W\frac{1}{2}SW\frac{1}{4}$  for 2640.54 feet to a point on the South line of Said Section 9; thence

South  $89^{\circ}57'49''$  West for 1321.23 feet to the Southwest corner of said Section 9; thence

South  $89^{\circ}55'00''$  West along the South Boundary line of said Section 8, Township 8 South, Range 26 East, Boise Meridian, Blaine County, Idaho for a distance of 5284.18 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

Also known as Tax Lot 7907 on the Blaine County Assessor's Rolls.

PARCEL 55:

TOWNSHIP 8 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 1:  $SW\frac{1}{4}SW\frac{1}{4}$

Section 2:  $SE\frac{1}{4}SW\frac{1}{4}$ ,  $SW\frac{1}{4}SE\frac{1}{4}$  AND  $SE\frac{1}{4}SE\frac{1}{4}$

Section 11:  $SE\frac{1}{4}NE\frac{1}{4}$ ,  $SE\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ ,  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ,  $SW\frac{1}{4}SW\frac{1}{4}$ ,  $NE\frac{1}{4}NE\frac{1}{4}$ ,  $NW\frac{1}{4}NE\frac{1}{4}$  AND  $NE\frac{1}{4}NW\frac{1}{4}$

Section 12: ALL

Section 13:  $N\frac{1}{2}NW$ ,  $E\frac{1}{4}NE$ ,  $NWNE$

And the following described Parcels:

TOWNSHIP 8 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

A parcel of land located within a portion of the SWNE and S½NW of Section 13 and a portion of the SENE and a portion of the N½NE of Section 14, more particularly described as follows:

Beginning at the Northeast Section corner of Section 14 of Township 8 South, Range 26 East Boise Meridian, said corner marked by a 5/8" rebar which shall be the Point of Beginning; thence South 00°00'08" West, along the East Section line for a distance of 1320.87 feet to the Southeast corner of the NENE marked by a 5/8" rebar; thence South 89°59'56" East along the North line of the S½NW and SWNE for a distance of 3960.39 feet to the Northeast corner of the SWNE marked by a 5/8" rebar; thence South 00°01'38" East, along the East line of the SWNE for a distance of 1281.17 feet to a ½" rebar on the North right-of-way of the Union Pacific Railroad; thence North 73°05'34" West, along said line for a distance of 6907.75 feet to a ½" rebar on the West line of the NWNE; thence North 00°04'45" West, along said line for a distance of 594.69 feet to the N¼ Section corner of Section 14 marked by a 5/8" rebar; thence South 89°58'04" East, along the North Section line for a distance of 2649.06 feet to the Point of Beginning.

Also known as Tax Lot 7620 on the Blaine County Assessor's Rolls.

TOWNSHIP 8 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

A parcel of land located within a portion of the SWNE S½NW of Section 13, and a portion of the N½NE and SENE of Section 14 described as follows:

Beginning at the East ¼ Section corner of Section 14 of Township 8 South, Range 26 East, Boise Meridian, said corner marked by a 5/8" rebar which shall be the Point of Beginning; thence North 89°59'27" West along the South line of the SENE of Section 14 for a distance of 1322.65 feet to the Southwest corner of the SENE marked by a 5/8" rebar; thence North 00°02'19" West along the West line of the SENE for a distance of 1321.14 feet to the Northwest corner of the SENE marked by a 5/8" rebar; thence North 89°58'45" West, along the North line of the NWNE for a distance of 1323.59 feet to the Southwest corner of the NWNE marked by a 5/8" rebar; thence North 00°04'45" West, along the West line of the NWNE for a distance of 517.59 feet to a ½" rebar on the South right-of-way of the Union Pacific Railroad; thence South 73°05'34" East, along said line for a distance of 6324.87 feet to a ½" rebar on the East-West ¼ section line of Section 13; thence South 90°00'00" West, along said line for a distance of 3403.65 feet to the Point of Beginning.

Also known as Tax Lot 7621 on the Blaine County Assessor's Rolls.

TOWNSHIP 8 SOUTH, RANGE 27 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 7:                Lots 1, 2, 3, 4; E½ NW¼

Section 18:            Lots 1 and 2

EXCEPTING THEREFROM THE FORMER RAIL ROAD RIGHT-OF-WAY AND HIGHWAY RIGHT-OF-WAY.

TOGETHER WITH ALL WATER AND WATER RIGHTS, DITCHES AND DITCH RIGHTS USED THEREON OR APPURTENANT THERETO.

**Instrument # 647954**

HAILEY, BLAINE, IDAHO  
11-09-2017 11:21:10 AM No. of Pages: 1  
Recorded for: TITLEONE - BURLEY  
JOLYNN DRAGE Fee: \$15.00  
Ex-Officio Recorder Deputy: JB  
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED  
STAMPED FIRST PAGE NOW  
INCORPORATED AS PART OF  
THE ORIGINAL DOCUMENT.

**QUITCLAIM DEED**

For Value Received

**3 String Cattle of Idaho, LLC, an Idaho limited liability company**

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

**Western Mortgage & Realty Co., a Washington corporation**  
**ADDRESS: P. O. Box 3110**  
**Pasco, WA 99301-3110**

Herein called the grantee, for portions of certain water rights described below:

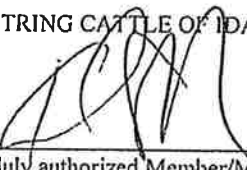
Water Right 36-7356C, priority date 7/24/1973, for 0.46 cfs, 236.0 acre feet annually and irrigation of 59.0 acres  
Water Right 36-2069, priority date 4/16/1.98 cfs, 487.6 acre feet annually and irrigation of 105.6 acres  
Water Right 36-15217, priority date 3/15/1968, for 0.72 cfs, 176.4 acre feet annually and irrigation of 60.4 acres.

said Water Rights are associated with certain real property located in Blaine County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated this 8<sup>th</sup> day of November, 2017

3 STRING CATTLE OF IDAHO, LLC

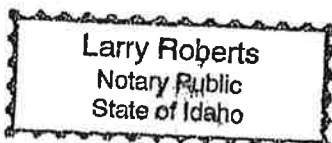
By: 

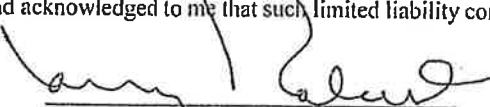
A duly authorized Member/Manager

STATE OF IDAHO )

COUNTY OF minidaba ) ss.

On this 8<sup>th</sup> day of November, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Karl Studer, known or identified to me to be a Member/Manager of 3 String Cattle Of Idaho, LLC, the limited liability company tht executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.



  
Notary Public  
Residing at: Twin Falls, ID  
My Commission expires: 6-30-21

**TRANSFER 82089**

**Instrument # 647951**

HAILEY, BLAINE, IDAHO  
11-09-2017 11:21:10 AM No. of Pages: 2  
Recorded for: TITLEONE - BURLEY  
JOLYNN DRAGE Fee: \$15.00  
Ex-Officio Recorder Deputy: JB  
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED  
STAMPED FIRST PAGE NOW  
INCORPORATED AS PART OF  
THE ORIGINAL DOCUMENT.

---

Order Number: 17300851

### **WARRANTY DEED**

For Value Received,

3 String Cattle of Idaho, LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain sell and convey unto, Western Mortgage & Realty Company, a Washington corporation, whose current address is 6610 W Court Street, Suite B, Pasco, WA 99302, the Grantee, the following described premises, in Blaine County, Idaho, To Wit:

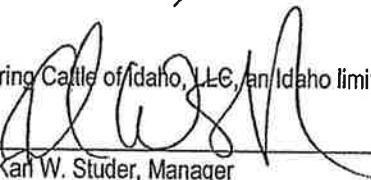
TOWNSHIP 8 SOUTH RANGE 27 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

Section 7: E $\frac{1}{2}$ SW $\frac{1}{4}$

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: November 8, 2017

3 String Cattle of Idaho, LLC, an Idaho limited liability company

BY: 

Karl W. Studer, Manager

RECEIVED

FEB 20 2018

DEPT OF WATER RESOURCES  
SOUTHERN REGION



February 16, 2018

State of Idaho  
Department of Water Resources  
650 Addison Ave W, Suite 500  
Twin Falls, ID 83301-5858

MetLife Agricultural Finance  
Loan Management Group  
10801 Mastin Blvd., Suite 930  
Overland Park, KS 66210  
Ph. 913/451-8282  
Fax 913/217-2999

RE Metropolitan Life Insurance Company ("MetLife") – Loan 199013  
Karl Walter Studer, Emily Studer, Twin Stock, LLC, 3 String Cattle of Idaho, LLC,  
and The Twin Stock Irrevocable Delaware Trust ("Borrower")  
4,223.48 acres Blaine and Minidoka Counties, Idaho

Dear Sir or Madam

Reference is made to that certain Notice of Security Interest in a Water right executed by MetLife, copy attached.

MetLife has released a portion of the security from the above captioned loan and no longer has an interest in Water Right No. 36-15217.

MetLife hereby further consents to the split of Water Right No. 36-2069 and Water Right No. 36-7356C.

Sincerely

A handwritten signature in blue ink that reads 'Roberta L. Black'. The signature is fluid and cursive, with the first name 'Roberta' being more prominent.

Roberta L. Black  
Team Lead  
Portfolio Servicing Team

Encl.

Cc Karl Studer

TRANSFER 82089

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**Notice of Security Interest in a Water Right**  
and a request to be notified of a change in ownership or any proposed  
or final action to amend, transfer, or otherwise modify the water right(s)

Attach pages with additional information. Incomplete forms will be returned.

| 1. Water Right/Claim No. | Water Right/Claim No. | Water Right/Claim No. | Water Right/Claim No. |
|--------------------------|-----------------------|-----------------------|-----------------------|
| 36-7704B                 | 36-10876              |                       |                       |
| 36-12875                 | 36-7356C              |                       |                       |
| 36-15217                 |                       |                       |                       |
| 36-2069                  |                       |                       |                       |
| 36-10875                 |                       |                       |                       |

2. The following **REQUIRED** information must be submitted with this form:

- A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
- B) A **FEE of \$25.00** per water right or adjudication claim.

3. Name and Mailing Address of Person or Company Holding Security Interest

Metropolitan Life Insurance Company

10801 Mastin Blvd

Suite 930

Overland Park, KS 66210

Phone 913-217-2986

Email jware@metlife.com

4. Name of Water Right Owner/Claimant(s)

3 String Cattle Of Idaho LLC

5. Expiration Date of Notification Period

July 1, 2037

6. Is this a Renewal of Request for Notification?

☐ YES

☒ NO

7. Signature(s) of Security Interest Holder(s)

*Paula Ott Okmon*

Title, if applicable

Director

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_ Fee \_\_\_\_\_  
Processed by AJ \_\_\_\_\_ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

|                                                                                                                                                        |                                                                    |                                                                                                                                        |         |       |         |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|---------|-------|---------|-------------|
| No. <b>W 145960</b>                                                                                                                                    | <b>Due no later than Jan 31, 2017</b><br><b>Annual Report Form</b> | 2. Registered Agent and Address<br><b>(NO PO BOX)</b>                                                                                  |         |       |         |             |
| Return to:<br>SECRETARY OF STATE<br>700 WEST JEFFERSON<br>PO BOX 83720<br>BOISE, ID 83720-0080<br><br><b>NO FILING FEE IF<br/>RECEIVED BY DUE DATE</b> |                                                                    | KARL STUDER<br>13 E 400 S<br>RUPERT ID 83350                                                                                           |         |       |         |             |
| <b>1. Mailing Address: Correct in this box if needed.</b><br>3 STRING CATTLE OF IDAHO, LLC<br>KARL STUDER<br>PO BOX 675<br>HEYBURN ID 83336            |                                                                    | 3. <u>New</u> Registered Agent Signature:*                                                                                             |         |       |         |             |
| 4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.                                                           |                                                                    |                                                                                                                                        |         |       |         |             |
| Office Held                                                                                                                                            | Name                                                               | Street or PO Address                                                                                                                   | City    | State | Country | Postal Code |
| MANAGER                                                                                                                                                | KARL W STUDER                                                      | PO BOX 675                                                                                                                             | HEYBURN | ID    | USA     | 83336       |
| 5. Organized Under the Laws of:<br><br><b>ID</b><br><b>W 145960</b>                                                                                    |                                                                    | 6. Annual Report must be signed.*<br>Signature: Karl Studer<br>Name (type or print): Karl Studer<br>Date: 01/17/2017<br>Title: Manager |         |       |         |             |
| Processed 01/17/2017                                                                                                                                   |                                                                    | * Electronically provided signatures are accepted as original signatures.                                                              |         |       |         |             |



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

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

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

January 30, 2019

3 STRING CATTLE OF IDAHO LLC  
PO BOX 675  
HEYBURN ID 83336-0675

Re: Transfer No: 82089  
Water Right No(s): 36-2069, 36-15217

**Transfer Approval Notice**

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner  
Southern Regional Manager

Enclosure

cc:

WESTERN MORTGAGE & REALTY CO  
PO BOX 3110  
PASCO WA 99301

BROCKWAY ENGINEERING PLLC  
C/O GREG SULLIVAN  
2016 N WASHINGTON ST STE 4  
TWIN FALLS ID 83301

METROPOLITAN LIFE INSURANCE COMPANY  
AGRICULTURAL INVESTMENTS  
10801 MASTIN BLVD STE 930  
OVERLAND PARK KS 66210

NATHAN ERICKSON  
WATER DISTRICT 130  
650 ADDISON AVE W STE 500  
TWIN FALLS ID 83301-5858

## CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2019 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 82089  
Water Right No(s): 36-2069, 36-15217

3 STRING CATTLE OF IDAHO LLC  
PO BOX 675  
HEYBURN ID 83336-0675

WESTERN MORTGAGE & REALTY CO  
PO BOX 3110  
PASCO WA 99301

BROCKWAY ENGINEERING PLLC  
C/O GREG SULLIVAN  
2016 N WASHINGTON ST STE 4  
TWIN FALLS ID 83301

METROPOLITAN LIFE INSURANCE COMPANY  
AGRICULTURAL INVESTMENTS  
10801 MASTIN BLVD STE 930  
OVERLAND PARK KS 66210

NATHAN ERICKSON *via e-mail*  
WATER DISTRICT 130  
650 ADDISON AVE W STE 500  
TWIN FALLS ID 83301-5858



Denise Maline  
Administrative Assistant

## **EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

### **EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

### **REQUEST FOR HEARING**

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

### **ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

## **CERTIFICATE OF SERVICE**

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

## **FINAL ORDER**

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

## **APPEAL OF FINAL ORDER TO DISTRICT COURT**

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

State of Idaho  
Department of Water Resources

**RECOMMENDATION OF WATERMASTER**

Transfer No: 82089  
Water Right No: 36-2069, etc.  
Applicant Name: 3 STRING CATTLE OF IDAHO LLC

**Watermaster's Recommendation:**

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

**Dated: January 23, 2019**

**Water District 130**

  
\_\_\_\_\_  
**Nathan Erickson, Watermaster**

## **FEE MEMORANDUM**

**Date:** January 10, 2019  
**To:** 3 String Cattle of Idaho LLC (Transfer #82089)  
**From:** Benny Walker  
**Re:** Receipting/disposition of fees paid

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This transfer was filed on January 2, 2018 with check #14425 (receipt #S036515) for \$200.00 from Brockway Engineering to cover the filing fee. During review of the transfer it was determined that an additional fee of \$50.00 was required for the ownership change for the rights involved in the transfer. This transfer is a companion transfer to Western Mortgage transfer #82082 (receipt #S036642). There was an over payment of \$40.00 from the Western Mortgage transfer and the applicants representative, Brockway Engineering, requested to have the \$40.00 over payment applied to this transfer and submitted an additional fee of \$10.00 (receipt #S037105). The total fee for this transfer #82089 is \$250.00 based on the cfs being transferred and the two ownership changes.



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JAN 09 2019

DEPT OF WATER RESOURCES  
SOUTHERN REGION

January 7, 2019

Benny Walker  
Idaho Department of Water Resources  
650 Addison Ave. W., Ste. 500  
Twin Falls, ID 83301

Re: Western Mortgage & Realty Co Transfer #82089

Dear Mr. Walker:

Western Mortgage & Realty Co. recently received an approval notice letter from IDWR regarding water right Transfer 82082. The transfer application for Transfer 82082 was accompanied by a process fee check that was received by IDWR as receipt #S036642. IDWR has informed me that there are \$40.00 in excess funds from Transfer 82082.

Additionally, IDWR has contacted me and indicated that processing fee for Transfer 82089 is short of sufficient funds by \$50.00.

Because Transfer 82082 and Transfer 82089 were submitted to IDWR by the same entity, it is requested that the \$40.00 of over payment for processing from Transfer 82082 be applied to Transfer 82089. The remaining \$10.00 will be covered by a check that is attached to this letter.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Jim McClelland

Enc: Brockway Engineering Check # 15108 for \$10.00

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

\$10- pd. 1-9-2019 JN #S037105



State of Idaho

## DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

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

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

January 8, 2019

METROPOLITAN LIFE INSURANCE COMPANY  
AGRICULTURAL INVESTMENTS  
10801 MASTIN BLVD STE 930  
OVERLAND PARK KS 66210

RE: Transfer No. 82089  
Water Right No(s). 36-2069, 36-15217 (*3 String Cattle of Idaho LLC*)

Dear Security Interest Holder:

Attached is a copy of an Application for Transfer that may be of interest to you, as a Security Interest holder. This application is currently being processed by the Department, and is nearing the final approval stage.

Please review the application, and submit any necessary comments or concerns to this office within 14 days. If the department has not received any response from you within 14 days; we will presume that you do not oppose approval of the application and that you have no comments or concerns for the department to consider.

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

Sincerely,

A handwritten signature in blue ink that reads "Denise Maline".

Denise Maline  
Administrative Assistant

Enclosure(s)



State of Idaho

## DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

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BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

January 8, 2019

WATER DISTRICT #130                      *via hand delivery*  
NATHAN ERICKSON  
650 ADDISON AVE W, STE 500  
TWIN FALLS, ID 83301

RE: Transfer No. 82089  
Water Right No(s). 36-2069, 36-15217 (3 String Cattle of Idaho LLC)

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 14 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an untested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 14 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.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

## MEMORANDUM

**Date:** January 3, 2019  
**To:** Transfer # 82089 File  
**From:** Benny Walker  
**Re:** Transfer Synopsis

---

Application proposes creating a 280.0 acre permissible place of use (PPU) for a portion of two ground water rights on a farm located approximately 16.5-17.0 miles east and 8.1-8.7 miles north of Rupert. The portion of these two rights allow for the irrigation of 10.0 acres within the 280.0 acre PPU and the diversion of 0.12 cfs from an existing well located on the farm. In addition the application proposes to change the ownership of the remaining 0.83 cfs and 70.0 acres of irrigation on the farm. The applicant sold the remaining portion of their water rights and land to an adjacent farm, Western Mortgage and Realty Co. This transfer is a companion transfer to Western Mortgage and Realty Co, transfer # 82082.

The rights involved with the application are located within Water District #130 so watermaster comments will be solicited. Application will not be subject to notice and protest.



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

December 21, 2017

Corey Skinner  
Idaho Department of Water Resources  
650 Addison Ave. W., Ste. 500  
Twin Falls, ID 83301

Re: 3 String Cattle of Idaho LLC

Dear Mr. Skinner:

3 String Cattle of Idaho LLC desires to create a 280.0 acres permissible place of for a 10.0 acre portion of water rights 36-2069 and 36-15217. I transfer was submitted to IDWR December 7, 2017 that include portions of 36-2069 and 36-15217.

The ownership, beneficial use, period of use and beneficial use of the 10.0 acres involved in this transfer will not be changing.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

Cc: Karl Studer

Enc: Transfer Application, Aerial Map, Annual Report, Brockway Engineering Check  
#14425 for \$200.00

RECEIVED  
JAN 02 2013  
DEPT OF WATER RESOURCES  
SOUTHERN REGION