

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82160**

This is to certify that: **L & T FARMS LLC**
PO BOX 141
FAIRFIELD, ID 83327

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>
37-22376	WR/DECREED	8/31/1888	0.200 cfs	N/A	N/A	10.0	SOLDIER CREEK
37-22933	WR/DECREED	8/3/1883	0.120 cfs	N/A	N/A	6.0	SOLDIER CREEK

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>
37-22376	NO	NO	YES	NO	NO	NO
37-22933	NO	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>
37-22376	37-22376	0.200 cfs	N/A	N/A	10.0	N/A	N/A	N/A	N/A	N/A
37-22933	37-22933	0.120 cfs	N/A	N/A	6.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.320 cfs	N/A	N/A	16.0		N/A	N/A	N/A	N/A

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 5th day of July, 2018.


Southern Region Manager

SUPPORT DATA

IN FILE # 37-22376

Transfer No. 82160

WATER RIGHT NO. 37-22376
As Modified by Transfer No. 82160

In accordance with the approval of Transfer No. 82160, Water Right No. 37-22376 is now described as follows:

Right Holder: L & T FARMS LLC
PO BOX 141
FAIRFIELD, ID 83327

Priority Date: 8/31/1888

Source: SOLDIER CREEK

Tributary: CAMAS CREEK

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
0.200 cfs
0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

SOLDIER CREEK NWSWNE Sec 21 Twp 01N Rge 14E CAMAS 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	
01N	14E	28											1.0						1.0
01N	14E	32		9.0															9.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. 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. 37B.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. This right does not grant any right-of-way or easement across the land of another.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 82160

WATER RIGHT NO. 37-22376

As Modified by Transfer No. 82160

CONDITIONS OF APPROVAL

7. Pursuant to Section 42-1412(6), Idaho Code, 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. 37-22933
As Modified by Transfer No. 82160

In accordance with the approval of Transfer No. 82160, Water Right No. 37-22933 is now described as follows:

Right Holder: L & T FARMS LLC
PO BOX 141
FAIRFIELD, ID 83327

Priority Date: 8/3/1883

Source: SOLDIER CREEK

Tributary: CAMAS CREEK

BENEFICIAL USE

IRRIGATION

From

04/15

to

To

10/31

Diversion Rate

0.120 cfs

0.120 cfs

LOCATION OF POINT(S) OF DIVERSION

SOLDIER CREEK

NWSWNE

Sec 21 Twp 01N Rge 14E CAMAS 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	
01N	14E	28											6.0						6.0

POU Total Acres: 6.0

CONDITIONS OF APPROVAL

1. 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. 37B.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. This right does not grant any right-of-way or easement across the land of another.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 82160

WATER RIGHT NO. 37-22933

As Modified by Transfer No. 82160

CONDITIONS OF APPROVAL

7. Pursuant to Section 42-1412(6), Idaho Code, 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 # 82160

37-22376

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



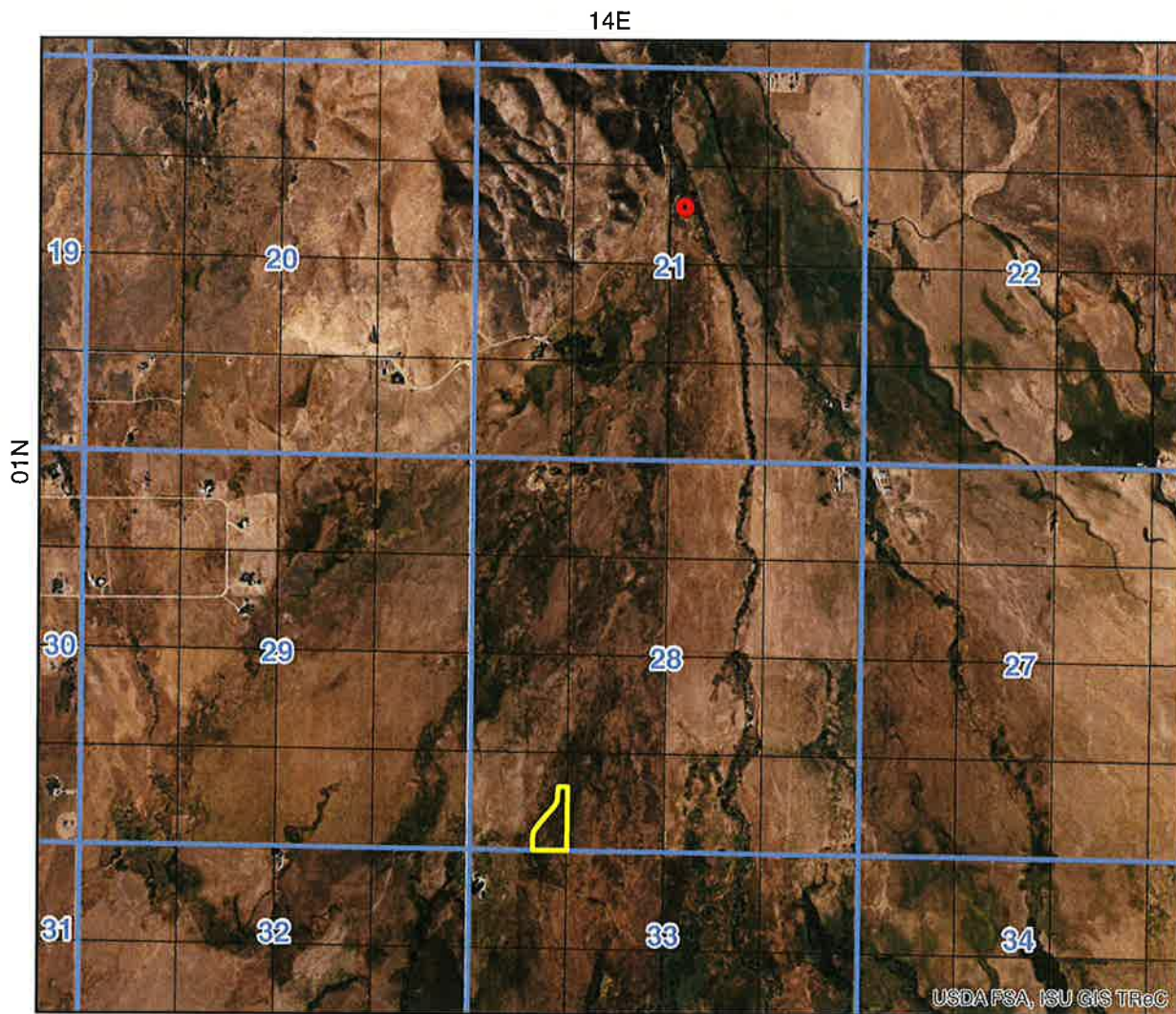
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.35 0.7 1.4 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer # 82160
37-22933

This map depicts the IRRIGATION place of use boundary for this water right 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

0 0.3 0.6 1.2 Miles



RECEIVED
APR 20 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82160

MINIMUM 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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) L & T FARMS LLC

Check 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 #1-9.

- ☒ ☐ #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 transfer 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).
- ☐ ☒ #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 <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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED
APR 20 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant L & T FARMS LLC

Phone 208-764-2245

Mailing Address PO BOX 141, FAIRFIELD ID 83307

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 _____

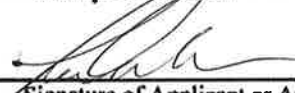
Phone _____

Mailing Address _____

Email _____

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

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


Signature of Applicant or Authorized Representative

Louis D. Andersen
Print Name and Title if applicable

4-16-18
Date


Signature of Applicant or Authorized Representative

Teresa R. Andersen
Print Name and Title if applicable

4-16-18
Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-22376	No	No	Yes	No	No	No
	37-22933	No	No	Yes	No	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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

Transfer application is seeking to move a six acre Soldier Creek irrigation water right, 37-22933, from one farm to a second farm and to change ownership of the water right. Additionally, to transfer 1 acre from a 10 acre Soldier Creek irrigation water right, 37-22376, appurtenant to the second farm into a 7 acre POU with the aforementioned right and update ownership of the second right also.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-22376	0.200 cfs	N/A	N/A	10.0		N/A	N/A	N/A	N/A
37-22933	0.120 cfs	N/A	N/A	6.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.140 cfs	N/A	N/A	7.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.14 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-22376

Current Water Right Owner

**L & T FARMS LLC
PO BOX 141
FAIRFIELD, ID 833327**

Priority Date: 8/31/1888

Origin: Water Right

Basis: Decreed

Status Active

Source: SOLDIER CREEK Tributary: CAMAS CREEK

Beneficial Use

IRRIGATION

From

04/15

To

10/31

Diversion Rate

0.200 CFS

Subuse Code

Total Diversion

0.200 CFS

Source and Point(s) of Diversion:

SOLDIER CREEK

NWSWNE

Sec. 21 Twp 01N Rge 14E CAMAS 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	
01N	14E	28											1.0						1.0
01N	14E	32		9.0															9.0

POU Total Acres:

10.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-22933

Current Water Right Owner
L & T FARMS LLC
PO BOX 141
FAIRFIELD, ID 833327

Priority Date: 8/3/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: SOLDIER CREEK **Tributary:** CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.120 CFS	
Total Diversion			0.120 CFS	

Source and Point(s) of Diversion:
SOLDIER CREEK NWSWNE Sec. 21 Twp 01N Rgc 14E CAMAS 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	
01N	14E	28											6.0						6.0

POU Total Acres: 6.0

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
Measuring device in place at diversion.

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

Applicant

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?

No, ☒ If Yes, ☐

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

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

6.0 acres will no longer be irrigated.

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Shared ditch with multiple water rights diverted. No changes to diversion system, 7.0 acres not previously irrigated will be irrigated at the new POU.

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

Yes No

☐
☐
☐
☐

☒
☒
☒
☒

undergone a period of five or more consecutive years of non-use,
currently leased to the Water Supply Bank,
currently used in a mitigation plan limiting the use of water under the right, or
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: N/A

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

Current Water Right No. 37-22376

Current Water Right Owner
SMOKEY DOME
PARTNERS
PO BOX 989
KETCHUM, ID 83340

Priority Date: 8/31/1888

Origin: Water Right

Basis: Decreed

Status: Active

Source: SOLDIER CREEK **Tributary:** CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.200 CFS	
Total Diversion			0.200 CFS	

Source and Point(s) of Diversion:
SOLDIER CREEK

NWSWNE Sec. 21 Twp 01N Rgc 14E CAMAS 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	
01N	14E	32		10.0															10.0

POU Total Acres: 10.0

Conditions/Remarks:

1. 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.
2. This right is a split from former right 37-312 .

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

Current Water Right No. 37-22933

Current Water Right Owner

**CAROL PETERSON
PO BOX 684
FAIRFIELD, ID 83327**

And

**BUZZ PETERSON
PO BOX 684
FAIRFIELD, ID 83327**

Priority Date: 8/3/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: SOLDIER CREEK Tributary: CAMAS CREEK

Beneficial Use

IRRIGATION

From

04/15

To

10/31

Diversion Rate

0.120 CFS

Subuse Code

Total Diversion

0.120 CFS

Source and Point(s) of Diversion:

SOLDIER CREEK

NWSWNE

Sec. 21 Twp 01N Rge 14E CAMAS 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	
01N	14E	20											6.0						6.0

POU Total Acres:

6.0

Conditions/Remarks:

1. 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.
2. Place of use is located within Lot 3, Smokey Dome Ranchos North.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ **Attach a map of the diversion, measurement, control, and distribution system. Label it Attachment #7a.**

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. Label it Attachment #7b. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☒

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it Attachment #8a.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it Attachment #8b

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

Transfer Contains 9 pages and attachments.
Received By CH Date 4-20-2018 Prelim. Check By Date
Fee Paid \$250- Date 4-20-2018 Received By Am Receipt # 5036698
Add'l Fee Paid Date Received By Receipt #

RECEIVED
APR 13 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

QUITCLAIM DEED

FOR VALUE RECEIVED, \$ 10⁰⁰, Buzz & Carol Peterson

does hereby convey, release, remise and forever quit claim unto L & T Farms, LLC
whose current address is:

PO Box 141
Fairfield ID

83327

the following described premises:

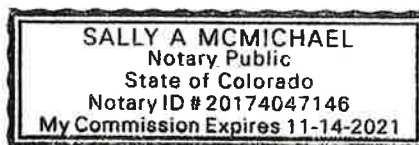
Water Right 37-22933

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date: 3-29-18

By: Buzz & Carol Peterson

State of Idaho)
County of Camas) ss.



On this 29 day of March, in the year 2018, before me, Sally A McMichael
personally appeared Buzz & Carol Peterson, proved to me on the basis of satisfactory
evidence to be the person(s) whose name(s) is(are) subscribed to the within instrument, and
acknowledged that he(she)(they) executed the same.

Sally A McMichael

Notary Public

My Commission Expires on 11/14/2021

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Moffatt, Thomas, Barrett, Rock &
Fields, Chartered
101 S. Capitol Boulevard, 10th Floor
Post Office Box 829
Boise, Idaho 83701-0829
Attention: Michael W. McGreaham

CAMAS COUNTY
Recorded for:
MOFFATT THOMAS
11:05:07 am 01-30-2013
2013-084976
No. Pages: 3 Fee: \$16.00
KORRI BLODGETT
County Clerk
Deputy: BWALTON

(Space Above For Recorder's Use)

Warranty Deed

GRANTOR:

Louis Dee Andersen and Teresa R. Andersen, husband and wife

GRANTEE:

L & T Farms, LLC, an Idaho limited liability company

GRANTEE'S ADDRESS FOR TAX PURPOSES:

P.O. Box 141, Fairfield, ID 83327

DESCRIPTION OF REAL PROPERTY CONVEYED BY THE DEED:

Situated in the County of Camas, State of Idaho:

Township 1 North, Range 14 East, Boise, Meridian, Camas County, Idaho

Section 32: NE 1/4

LESS TAX LOT 1290:

TOWNSHIP 1 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CAMAS
COUNTY, IDAHO.

SECTION 32: A parcel of land rectangular in shape in the NORTHWEST
QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) described as
follows:

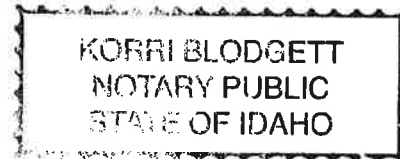
BEGINNING at the Northwest corner of the Northwest Quarter of the Northeast
Quarter (NW1/4NE1/4),

) SS₄

)

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

Korri Blodgett
NOTARY PUBLIC FOR IDAHO
Residing at Fairfield, ID
My Commission Expires 4-15-2017



Thence East on the North boundary of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) a distance of 300 feet to a point;
Thence SOUTH and parallel with the East boundary of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) a distance of 726 feet to a point;
Thence West and parallel with the North boundary of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) a distance of 300 feet
To a point on the Quarter section line of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4);
Thence NORTH on the Quarter section line of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4), a distance of 726 feet to the POINT OF BEGINNING.
Containing more or less 5.00 acres.

Parcel No.: RP01N14E320001A

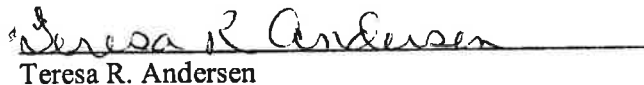
FOR VALUE RECEIVED, the above-named Grantor does hereby GRANT and CONVEY unto the above-named Grantee, the real property above described, together with the appurtenances.

Grantor WARRANTS that Grantor has good title right and authority to execute and deliver this deed to the Grantee, and that Grantor is the owner in fee simple of said premises, subject to all covenants, conditions, restrictions, exceptions, easements, and other limitations of record, which were made, suffered, or assumed by the Grantor, or any person claiming under Grantor.

The singular terms "Grantor" and "Grantee" as used in this instrument shall be construed to include the plural.

DATED: 1-22-13


Louis Dee Andersen


Teresa R. Andersen

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Moffatt, Thomas, Barrett, Rock &
Fields, Chartered
101 S. Capitol Boulevard, 10th Floor
Post Office Box 829
Boise, Idaho 83701-0829
Attention: Michael W. McGreaham

CAMAS COUNTY
Recorded for:
MOFFATT THOMAS
9:46:46 am 12-11-2012
2012-084881
No. Pages: 2 Fee: \$13.01
KORRI BLODGETT
County Clerk
Deputy: BWALTON

(Space Above For Recorder's Use)

Warranty Deed

GRANTOR:

Louis Dee Andersen and Teresa R. Andersen, husband and wife

GRANTEE:

L & T Farms, LLC, an Idaho limited liability company

GRANTEE'S ADDRESS FOR TAX PURPOSES:

P.O. Box 141, Fairfield, ID 83327

DESCRIPTION OF REAL PROPERTY CONVEYED BY THE DEED:

Situated in the County of Camas, State of Idaho:

Township 1 North, Range 14 East, Boise, Meridian, Camas County, Idaho.

Section 28: SW 1/4

Property Address: 292 N. 100 W., Fairfield, ID 83327
Parcel No.: RP01N14E284800A

FOR VALUE RECEIVED, the above-named Grantor does hereby GRANT and CONVEY unto the above-named Grantee, the real property above described, together with the appurtenances.

Grantor WARRANTS that Grantor has good title right and authority to execute and deliver this deed to the Grantee, and that Grantor is the owner in fee simple of said premises, subject to all covenants, conditions, restrictions, exceptions, easements, and other limitations of

WARRANTY DEED - 1

Client: 2572978.1

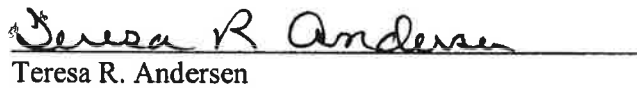
TRANSFER 82160

record, which were made, suffered, or assumed by the Grantor, or any person claiming under Grantor.

The singular terms "Grantor" and "Grantee" as used in this instrument shall be construed to include the plural.

DATED: October 25, 2012


Louis Dee Andersen


Teresa R. Andersen

STATE OF IDAHO)
) ss.
County of Jerome)

On this 25th day of October, 2012, before me, Michael W. McGreaham, personally appeared **LOUIS DEE ANDERSEN** and **TERESA R. ANDERSEN**, husband and wife, known or identified to me (or proved to me on the oath of _____) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Witness my hand and official seal.

[Seal]




M. W. McGreaham, Notary Public
101 S. Capitol Blvd., 10th Floor
Boise, Idaho 83701
My commission expires: September 9, 2015



CERTIFICATE OF ORGANIZATION FILED EFFECTIVE LIMITED LIABILITY COMPANY

2012 NOV -2 AM 8:40

(Instructions on back of application)

SERIALIZED
STATE
STAMPED

1. The name of the limited liability company is:

L & T Farms, LLC

2. The complete street and mailing addresses of the initial designated/principal office:

292 N. 100 W, Fairfield, Idaho 83327

(Street Address)

P.O. Box 141, Fairfield, Idaho 83327

(Mailing Address, if different than street address)

3. The name and complete street address of the registered agent:

Idaho Service Company

(Name)

101 S. Capitol Blvd., 10th Flr, Boise, ID 83702

(Street Address)

4. The name and address of at least one member or manager of the limited liability company:

Name

Address

Louis D. Andersen and Teresa R. Andersen, Trustees of the Louis D. Andersen and Teresa R.

Andersen Revocable Living Trust dated October 25, 2012, any any amendments thereto

P.O. Box 141, Fairfield, Idaho 83327

5. Mailing address for future correspondence (annual report notices):

P.O. Box 141, Fairfield, Idaho 83327

6. Future effective date of filing (optional):

Signature of a manager, member or authorized person.

Signature

Typed Name: Louis D. Andersen, Trustee

Signature

Typed Name: Teresa R. Andersen, Trustee

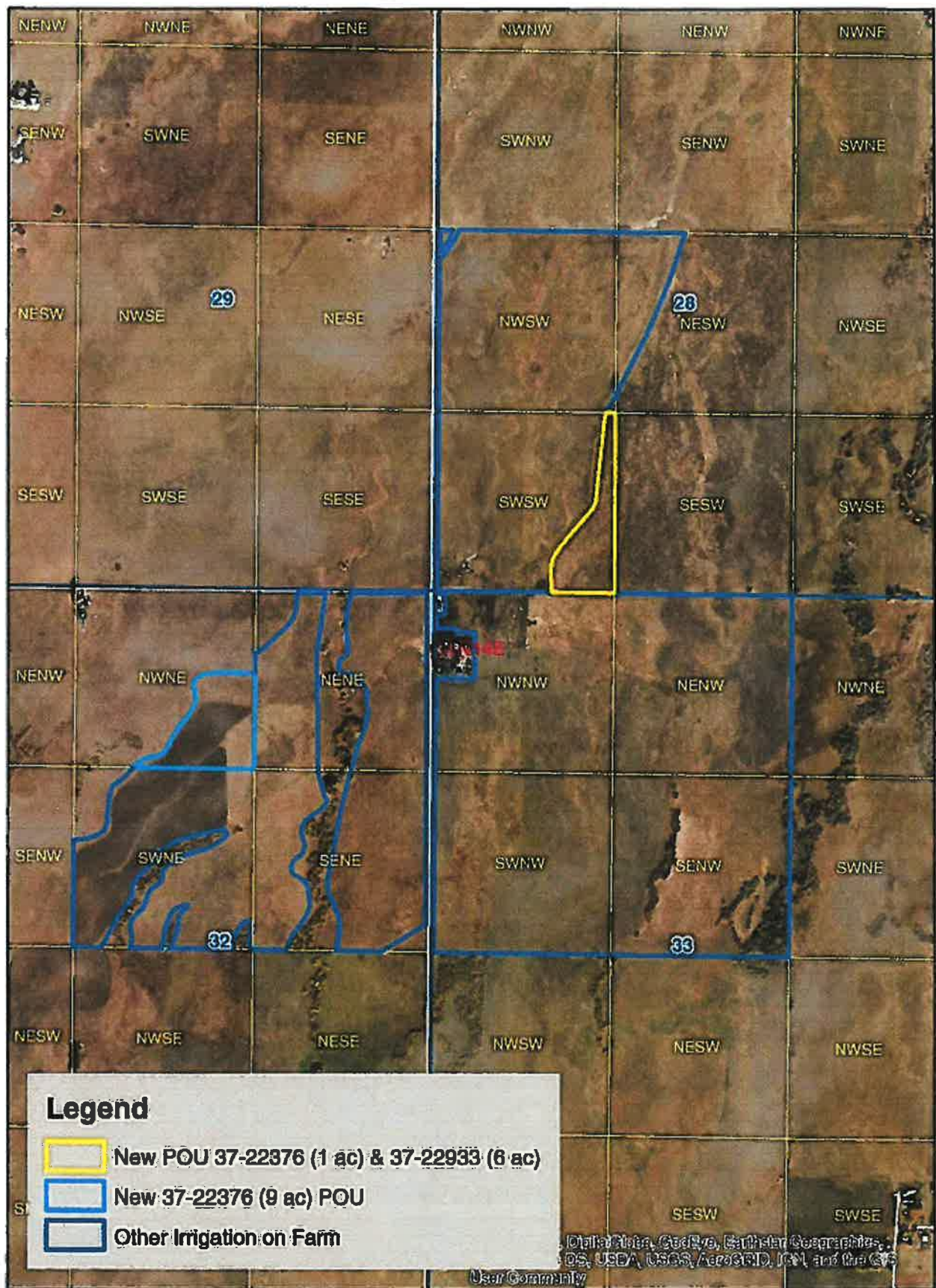
Secretary of State use only

IDAHO SECRETARY OF STATE
11/02/2012 05:00
CK: NONE CT: 1117 BH: 1346210
1 @ 100.00 = 100.00 ORGAN LLC # 4

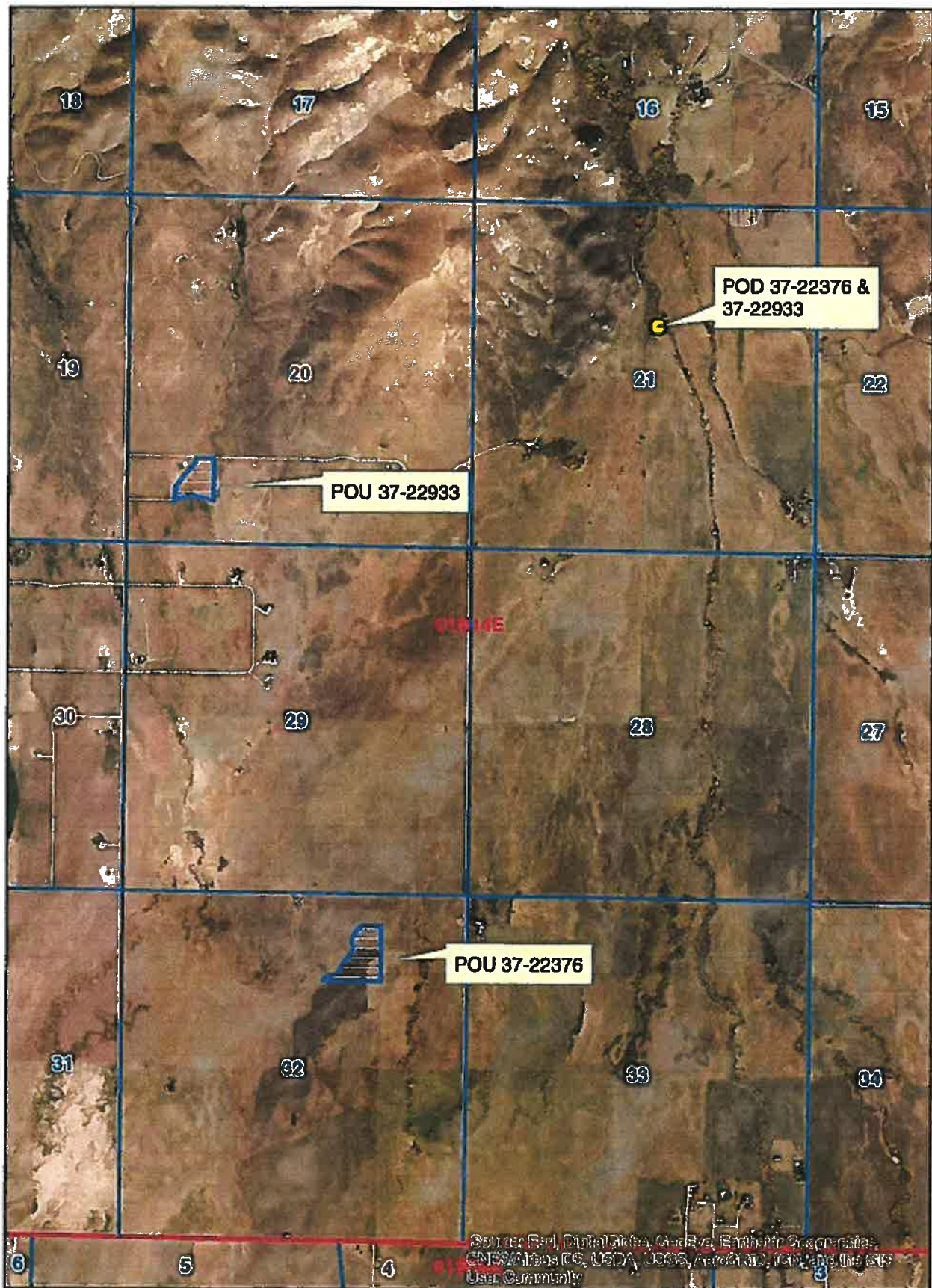
W118686

CLIENT:2615576.1

Attachment 7A



Attachment 7B





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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 6, 2018

L & T FARMS LLC
PO BOX 141
FAIRFIELD ID 83327-0141

Re: Transfer No: 82160
Water Right No(s): 37-22376, 37-22933

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.

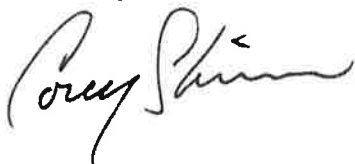
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and 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,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

cc:

RUSTY KRAMER
WATER DISTRICT 37B
246 S HWY 46
FAIRFIELD ID 83327

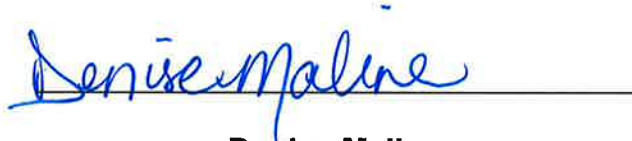
CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2018 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.: 82160
Water Right No(s): 37-22376, 37-22933**

**L & T FARMS LLC
PO BOX 141
FAIRFIELD ID 83327-0141**

**RUSTY KRAMER
WATER DISTRICT 37B
246 S HWY 46
FAIRFIELD ID 83327**



**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.

MEMORANDUM

Date: May 16, 2018
To: Transfer 82160 File
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes moving water right 37-22933, a 6.0 acre, 0.12 cfs Soldier Creek irrigation right from the current farm to a new farm located approximately 1.5 miles to the southeast. There will be no change to the point of diversion. The transfer application also proposes rearranging the acres for another Soldier Creek Irrigation right, 37-22376 (10 acres, 0.14 cfs) by moving 1.0 acre of the right to create a 7.0 acre place of use with water right 37-22933 in the SWSW of Sec. 28, Twp 01N, Rge 15E. Proposed POU is located approximately 2.9 to 3.2 miles north and 0.5 to 0.6 miles west of the intersection of Hwy 20 and Soldier Rd in Fairfield.

The new POU will not overlap any existing water rights although the POU will be adjacent to the POU for water rights, 37-849, 37-850 and 37-851 that are used to irrigate the adjacent 33 acres in the SWSW of Sec. 28, Twp 01N, Rge 15E.

The point of diversion for both rights and proposed place of use are located in Water District 37B. Watermaster comments were solicited and the Watermaster did not oppose approval of this application.

This application only modifies the place of use and there is no actual hydrologic change. Therefore, pursuant to Section 42-222, Idaho Code, this transfer can be processed and approved without advertising.

- **Authority to File:** Applicant has provided a Quitclaim Deed indicating ownership of water 37-22933 and has provided copies of warranty deeds indicating ownership of water right 37-22376 and all lands involved in the transfer. Fees were paid with this transfer application for change of ownership for both water rights and the ownership change will be accomplished through approval of this transfer.
- **Water Right Validity:** Water right 37-22376 was decreed in the SRBA on 5/13/2009 and water right 37-22933 was decreed on 9/24/2010. Recent aerial and satellite imagery indicate the properties involved with this transfer appear to be irrigated.
- **Injury to Other Water Rights:**
None anticipated.

- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

RECEIVED

MAY 09 2018

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Transfer Application No.: 82160

Water Right No(s): 37-22376, 37-22933

Transfer Applicant's Name: L & T FARMS LLC
PO BOX 141
FAIRFIELD ID 83327

Water master's Recommendation:

- a) X I do not oppose approval of this application.
- b) I do not oppose approval of this application if it is conditioned as follows:
- c) I oppose approval of this application for the following reasons:
- d) Additional comments:

Dated this 5th day of May, 2018

Water District No. 37B

Rusty Kramer 05/05/18

Water master's Signature

Rusty Kramer

Printed Name



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 1, 2018

WATER DISTRICT 37B
RUSTY KRAMER
246B S HWY 46
FAIRFIELD ID 83327

RE: Transfer No. 82160
Water Right No(s). 37-22376, 37-22933

Dear Rusty:

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 21 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 unprotested 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 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: May 1, 2018
To: Transfer 82160
From: William Mills
Re: Legal Notice Not Required

This application only modifies the place of use and there is no actual hydrologic change. Therefore, pursuant to Section 42-222, Idaho Code, this transfer can be processed and approved without advertising.

Legal Notice Not Required
5/1/2018

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

Date: May 1, 2018
To: Transfer 82160
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #82160 were based on the on the current transfer fee schedule and included \$200.00 for the 0.14 cfs being transferred in the application. A \$50.00 fee for change of ownership for two water rights was also included for a total of \$250.00 (Receipt No.S036698).

RECEIVED

MAR 08 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

Dear IDWR,

Jim Speck is **not** representing us as an attorney in reference to water right 37-22376. We **do not** want him added to this water right. Respectful signed.

Lou Anderson



Teresa Anderson