

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No.

81525

RECEIVED**FEB 24 2017**

Department of Water Resources

Eastern Region

RECEIVED**MAR 20 2017**Department of Water Resources
Eastern Region**AMENDED**

**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 www.idwr.idaho.gov.

Name of Applicant(s) Eight Mile Ranch, 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.
- ☒ ☐ #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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Department of Water Resources
Eastern Region

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Name of Applicant(s) Eight Mile Ranch, LLCPhone 208-547-3082

MAR 20 2017

Mailing address 1501 Eight Mile Creek Road, Soda Springs, Idaho 83276

Email

Department of Water Resources
Eastern Region

- ☐ 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 Randall C. BudgePhone 208-232-6101Mailing address P. O. Box 1391, Pocatello, Idaho 83204-1391Email rcb@racinelaw.net

- ☐ 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.

Randall C. Budge
Signature of Applicant or Authorized Representative

Randall C. Budge, Attorney
Print Name and Title if applicable

1/27/17
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.
SEE ATTACHED NARRATIVE

AMENDED

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.

☐ 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.

Total Acres (for irrigation use)	581.4
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SEP 20 2017

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 81525

Point of Diversion/Place of Use Supplement

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Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☒ Yes	10S	42E	4			SE	SE	Bear Lake	Eightmile Creek	Existing Ditch
☒ Yes			9			SW	NE	Bear Lake	Eightmile Creek	Pump Station
☐ Yes			9			NW	SE	Bear Lake	Eightmile Creek	Existing Ditch
☒ Yes			9			NE	SW	Bear Lake	Eightmile Creek	Existing Ditch
☐ Yes			16			SE	NW	Bear Lake	Eightmile Creek	Munro Ditch
☐ Yes			16			SW	SW	Bear Lake	Eightmile Creek	Existing Ditch
☐ Yes			20			NE	NE	Bear Lake	Eightmile Creek	Pump Station
☐ Yes			20			SE	NE	Bear Lake	Eightmile Creek	Pump Station
☒ Yes			20			NW	SE	Bear Lake	Spring trib to Eightmile Cr	Gravity Pipeline
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	42E	3											37.5	9.3					46.8
		4															14.4	38.2	52.6
		9	40.0	32.8	40.0	39.9	2.3			27.3	18.7			27.8	27.1	40.0	33.1	1.2	330.3
		10						28.2	7.1										35.3
		16		11.7	0.4		34.7		0.3	16.6		1.8	19.3						84.8
		17																1.1	1.1
		20	13.3		11.3	4.7									10.3				39.6
																			590.5

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 81525

Point of Diversion/Place of Use Supplement

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Attachment to: ☐ Application for Permit to Appropriate Water
☐ Application for Amendment of Permit

☒ Application for Transfer**
☐ Beneficial Use Field Report

☐ Adjudication Claim
☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☒ Yes	10S	42E	9			NW	NE	Bear Lake County	Eightmile Creek	
☒ Yes	10S	42E	9			SW	NE	Bear Lake County	Eightmile Creek	
☒ Yes	10S	42E	9			NW	SE	Bear Lake County	Eightmile Creek	
☒ Yes	10S	42E	9			NE	SW	Bear Lake County	Eightmile Creek	
☒ Yes	10S	42E	16			SW	NE	Bear Lake County	Eightmile Creek	
☐ Yes	10S	42E	16			SW	SW	Bear Lake County	Eightmile Creek	
☐ Yes	10S	42E	20			NE	NE	Bear Lake County	Eightmile Creek	
☐ Yes	10S	42E	20			SE	NE	Bear Lake County	Eightmile Creek	
☐ Yes	10S	42E	20			NW	SE	Bear Lake County	Eightmile Creek	
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	42E	3											36.8	9.8					46.6
10S	42E	4															15.5	37.4	52.9
10S	42E	9	40	33.6	40	40	2.6			31	20.6	0.2		29.3	26.5	40	33	0.9	337.7
10S	42E	16		12.8	0.4		35.2			4.5		1.4	18.7						73
10S	42E	20	12.6		9.6	4.5										9.1			35.8
10S	42E	21						3.3											3.3
10S	42E	10						26.7	4.7										31.4
10s	42e	17																0.7	0.7
																		total	581.4

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

Page 5

Revised 6/9/17.

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Ident. No. _____

AMENDED

☐ Adjudication Claim
☐ Statutory Claim

[illegible][illegible]

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Department of Water Resources
Region

Ident. No.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to appropriate Water
☐ Application for Amendment of Permit

☒ Application for Transfer**
☐ Beneficial Use Field Report

☐ Adjudication Claim
☐ Statutory Claim

Location of points of diversion (POD):

[illegible]

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: B for Domestic) in the corresponding place of use below.

[illegible]

****If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.**

Page

815254

PART 1B. ATTACHMENT

WATER RIGHTS

Water Right #	Amount (cfs)	Nature of Use	Period of Use	Source
11-340	2	Irrigation	4/20 to 9/30	Eight Mile Creek
11-341	1	Irrigation	4/20 to 9/30	Eight Mile Creek
11-342	1	Irrigation	4/20 to 9/30	Eight Mile Creek
11-343	0.2	Irrigation	4/20 to 9/30	Eight Mile Creek
11-344	0.7	Irrigation	4/20 to 9/30	Eight Mile Creek
11-345	0.9	Irrigation	4/20 to 9/30	Eight Mile Creek
11-346	1	Irrigation	4/20 to 9/30	Eight Mile Creek
11-355	0.9	Irrigation	4/20 to 9/30	Eight Mile Creek
11-356	1	Irrigation	4/20 to 9/30	Eight Mile Creek
11-362	0.5	Irrigation	4/20 to 9/30	Eight Mile Creek
11-363	1.4	Irrigation	4/20 to 9/30	Eight Mile Creek
11-364	0.4	Irrigation	4/20 to 9/30	Eight Mile Creek
11-365	0.24	Irrigation	4/20 to 9/30	Eight Mile Creek
11-366	1.5	Irrigation	4/20 to 9/30	Eight Mile Creek

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PART 1B. ATTACHMENT

NEW POINTS OF DIVERSION - EIGHT MILE CREEK

Township 10 South, Range 42 East, B.M.

Section 9: NWNE, SWNE, NWSE, NESW

Section 16: SWNE

Purpose of Transfer - Part 1A.2.

The purpose of the Transfer Application is to combine the points of diversion and places of use under all of the subject water rights as identified on the attached map. The Eight Mile Creek points of diversion are identified by red dots.

The Church of Jesus Christ of Latter-Day Saints (the "Church") owns a portion of the real property identified in the place of use as originally decreed for water right nos. 11-363, 11-364, and 11-366 and has signed the attached Waiver and Consent waiving any interest in these water rights and consenting to the approval of this Application for Transfer for the purpose of removing from the place of use the property owned by the Church.

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 head gates, portable dams and electric pump and motor to sprinkler system.

- 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?

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

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

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

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

None. The land now irrigated will continue to be irrigated.

- 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:

- g. 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:

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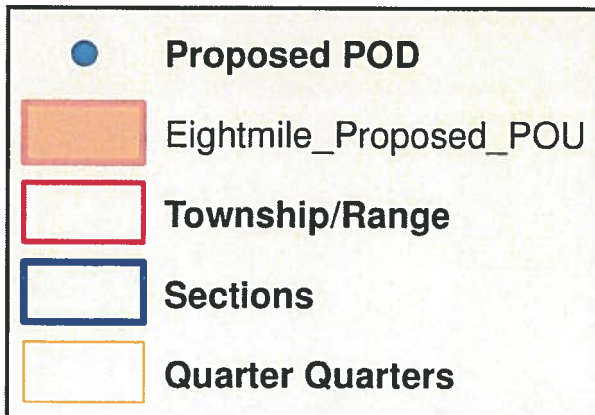
SEP 20 2017

Department of Water Resources
Eastern Region

Amended Transfer Application 81525

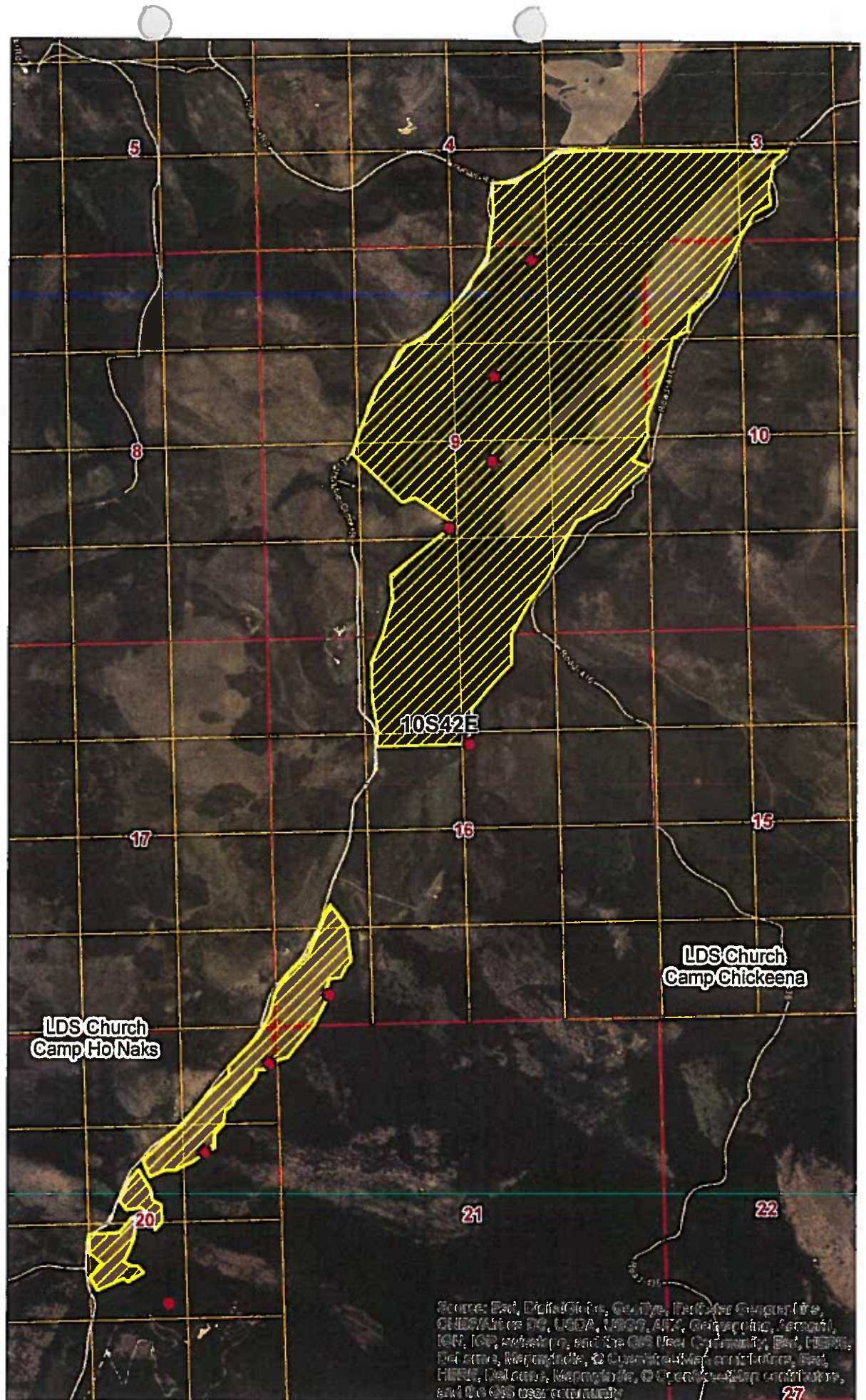
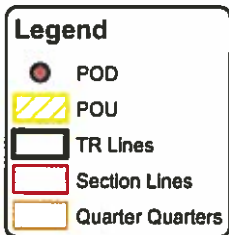


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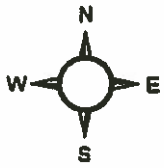




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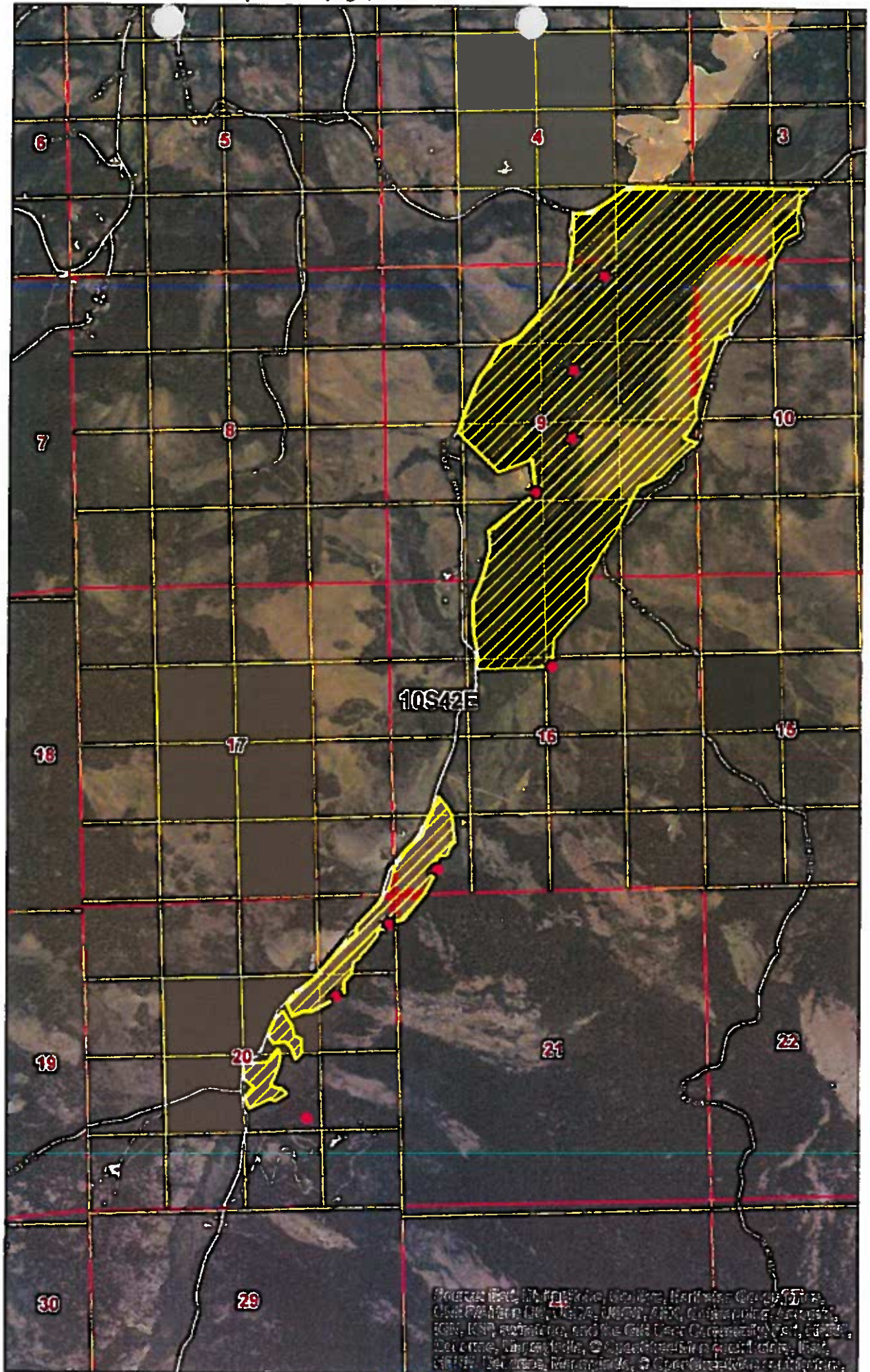
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- POD
- ▨ POU
- ▬ TR Lines
- ▬ Section Lines
- ▬ Quarter Quarters

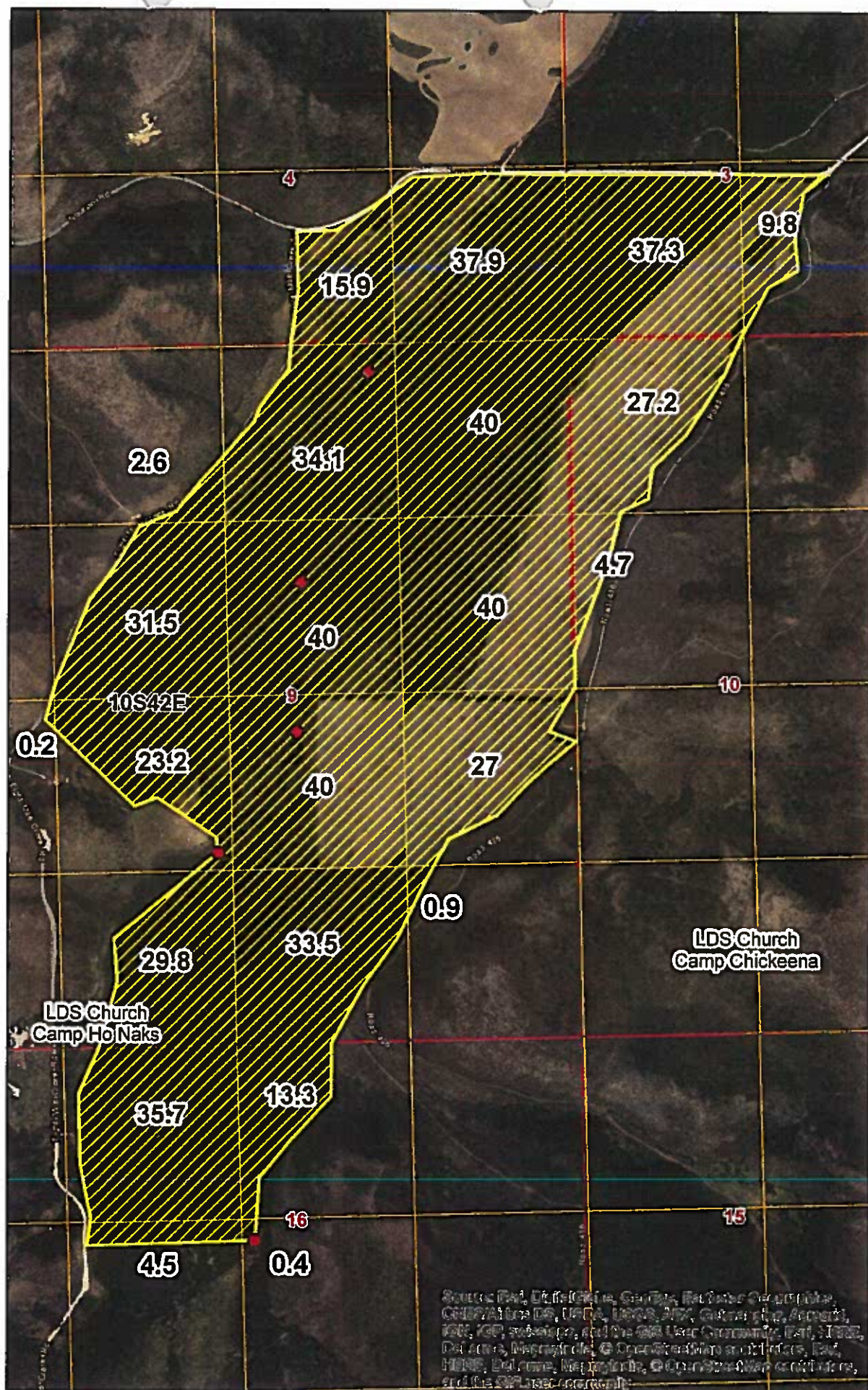
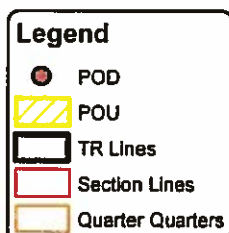
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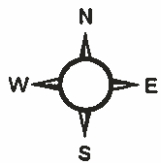


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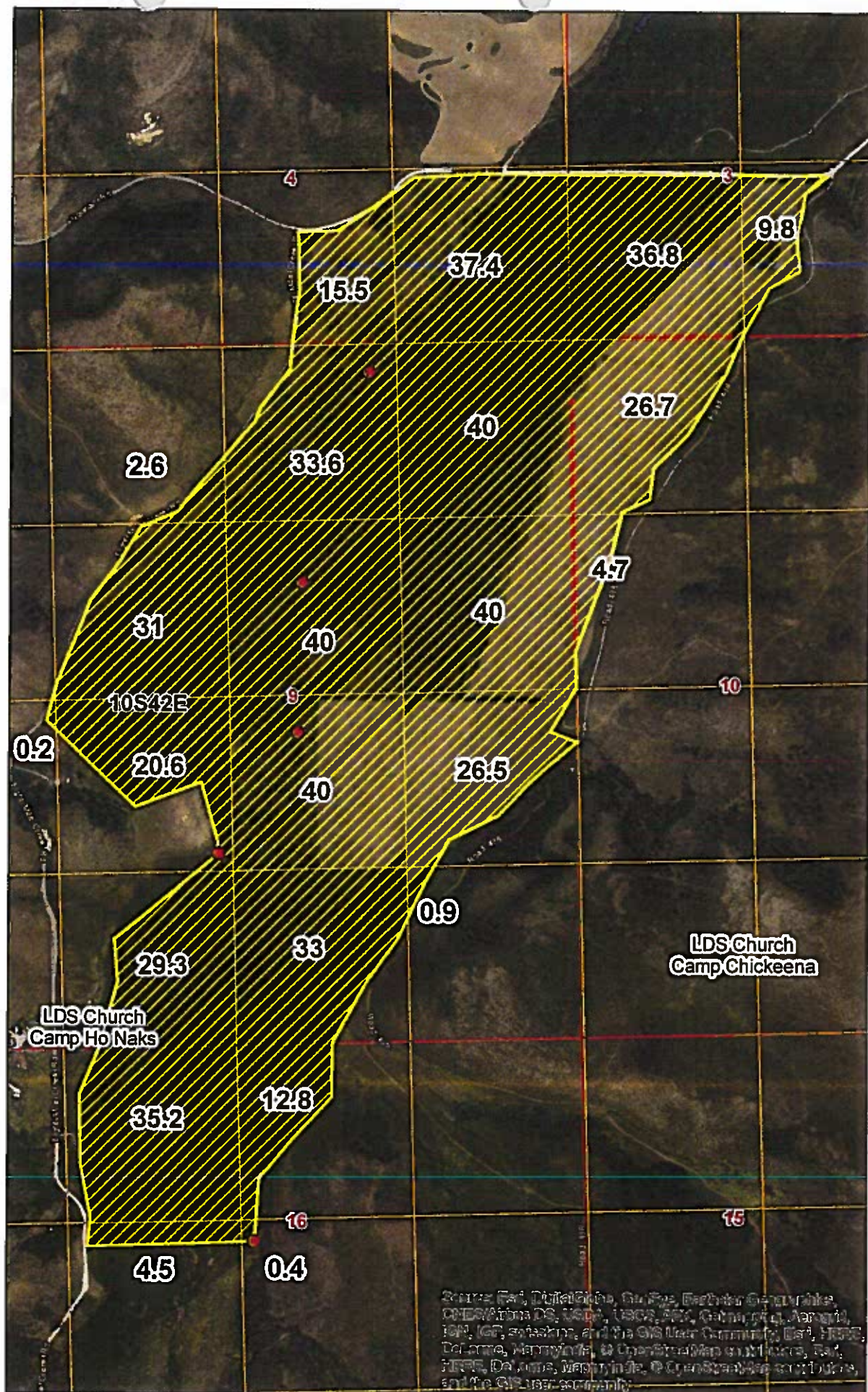
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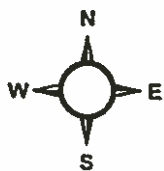
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- Section Lines
- Quarter Quarters

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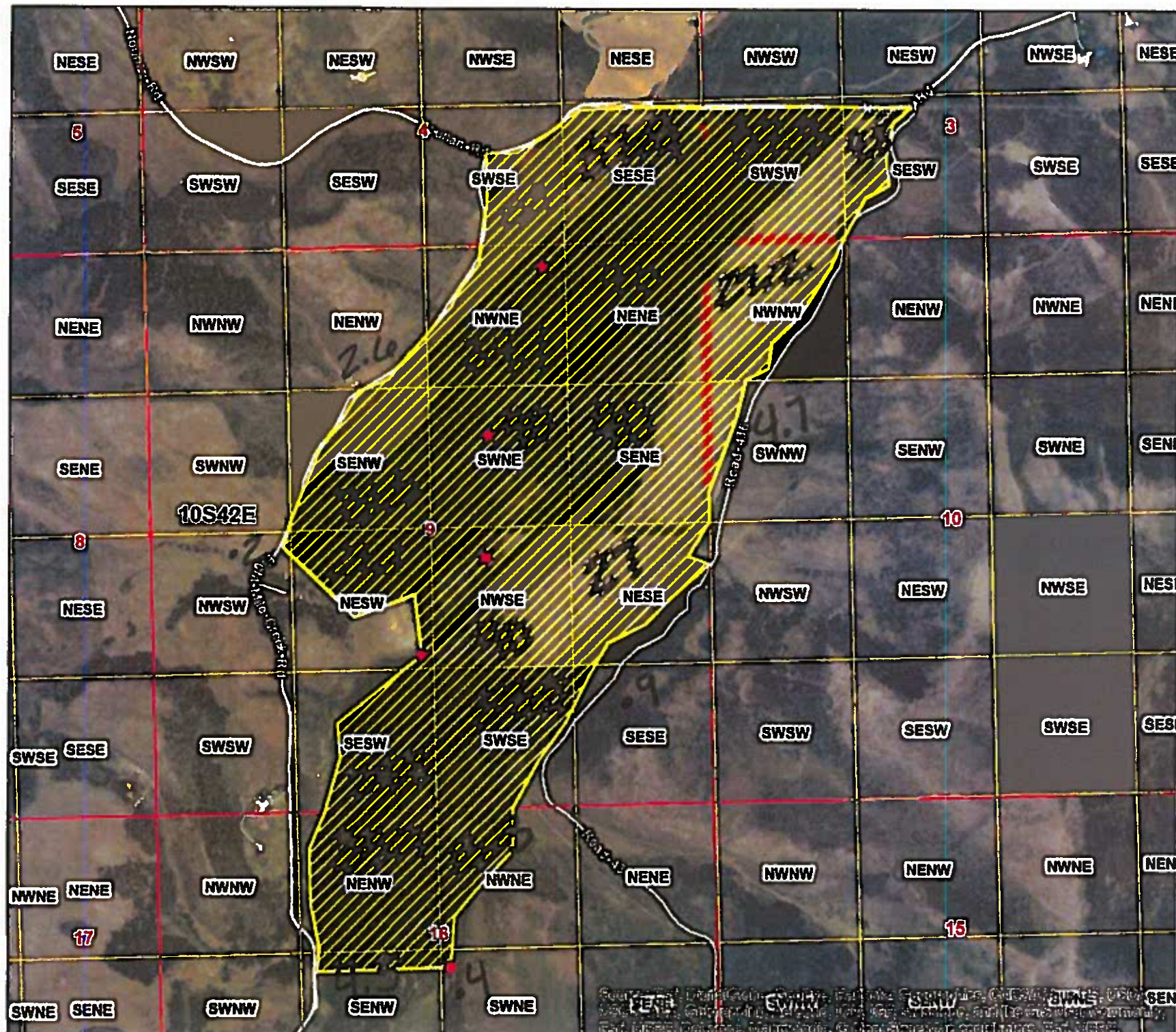
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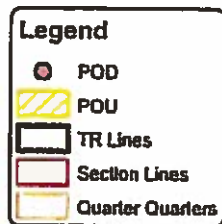
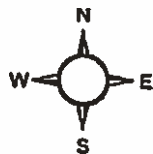
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- Section Lines
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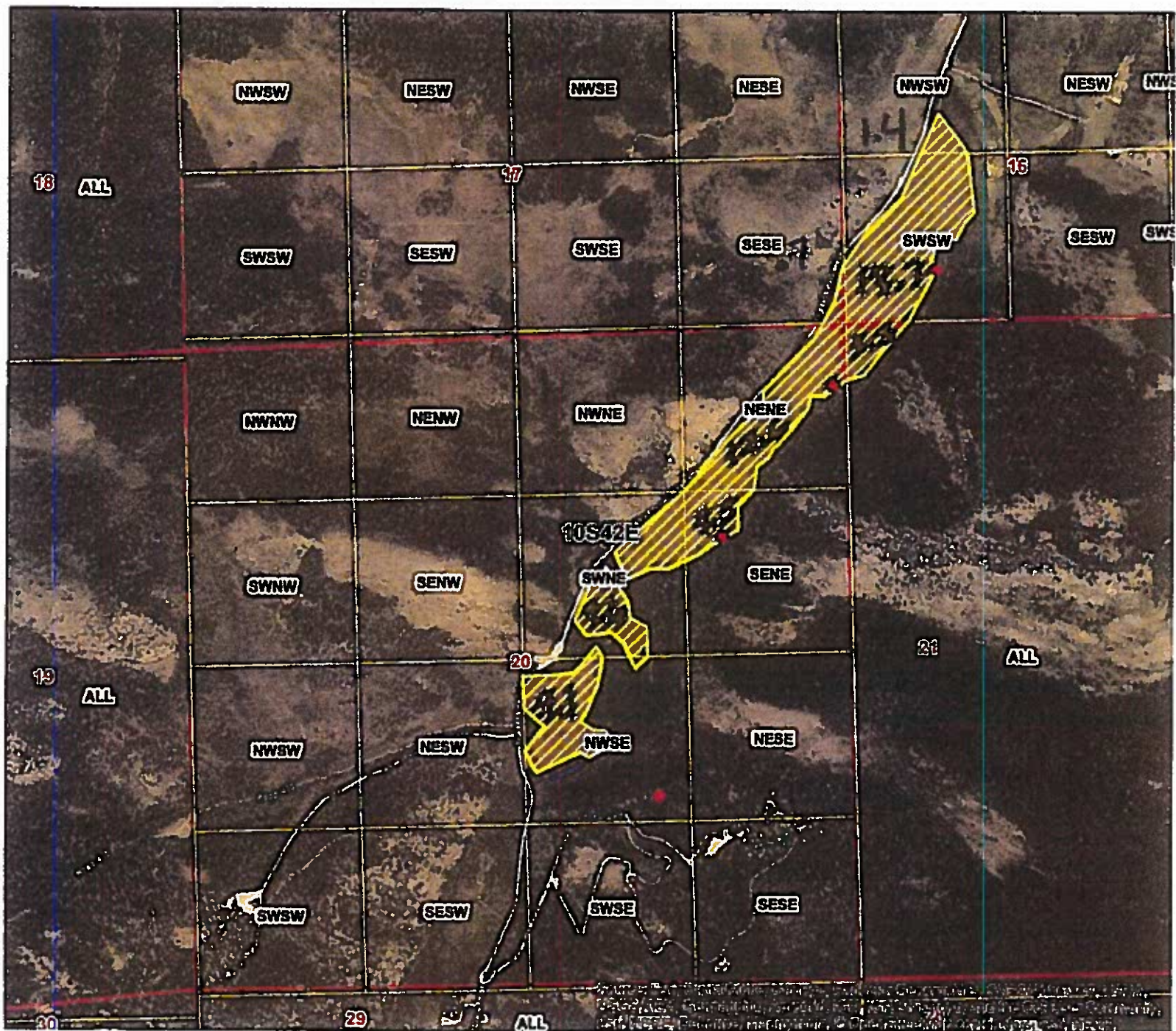




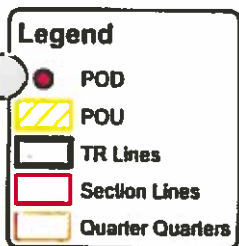
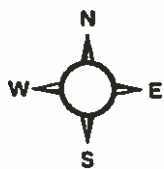
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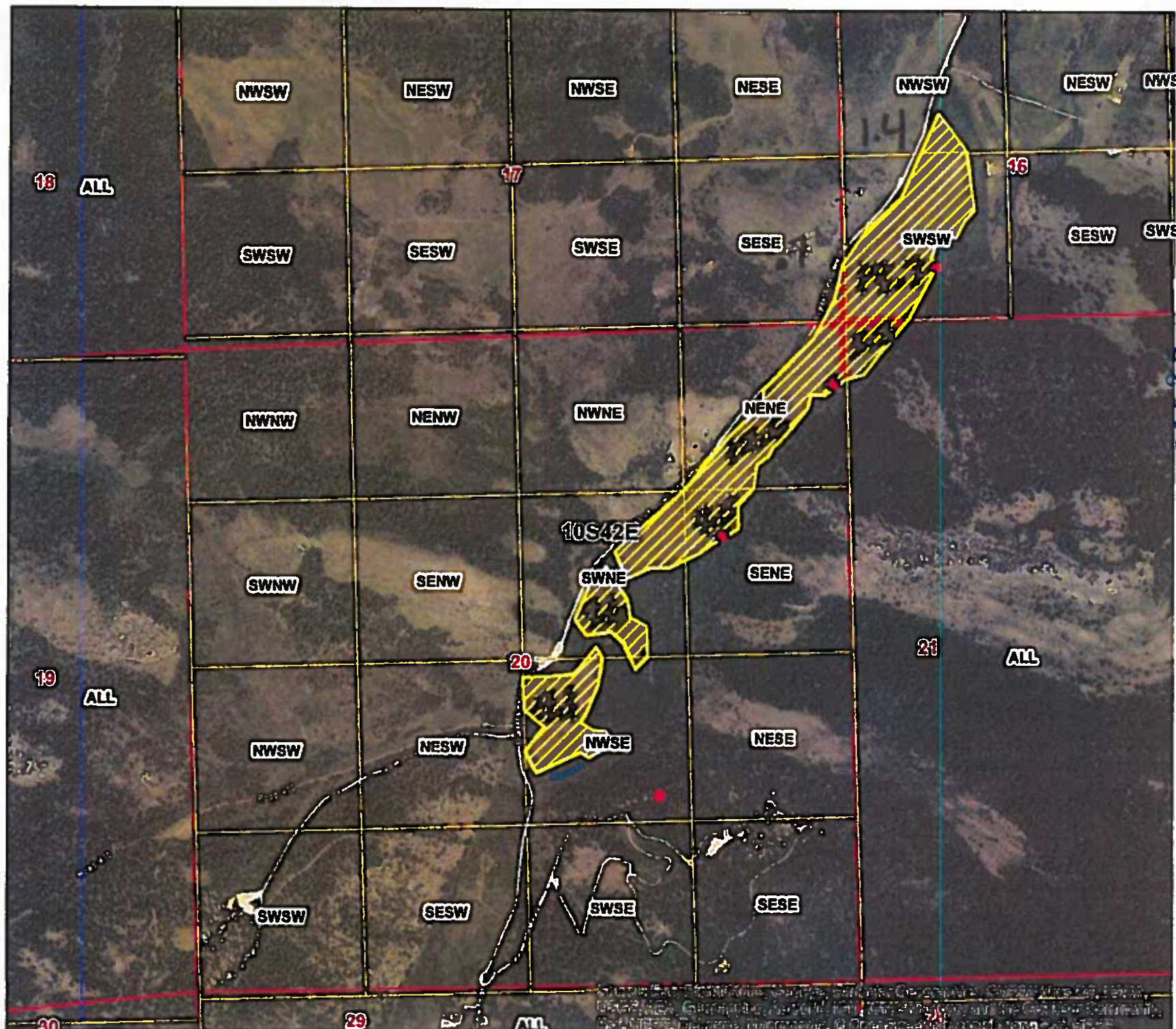
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SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

Eight Mile Ranch, LLC, hereby appoints the law firm of RACINE OLSON NYE BUDGE & BAILEY, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf.

DATED this 18th day of August, 2013.

EIGHT MILE RANCH, LLC

Janet G. Harris

(Signature)

Janet G. Harris

(Printed name)

1501 Eight Mile Creek Road

(Address)

Soda Springs, Idaho 83276

C. McGee Harris

(Signature)

C. McGee Harris

(Printed name)

1501 Eight Mile Creek Road

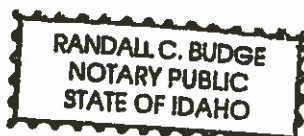
(Address)

Soda Springs, Idaho 83276

STATE OF IDAHO)

County of Bannock)
SS

On this 18th day of August, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared C. McGee Harris and Janet G. Harris, known or proved to me by satisfactory evidence to be the Managers of Eight Mile Ranch, LLC, and the person whose name is subscribed to the foregoing, and acknowledged to me that they executed the same on behalf of Eight Mile Ranch, LLC.



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Commission expires: 10/11/16
Pocatello, ID.



2195 North Main Street
Logan, Utah 84341
435.752.2146
800.748.5071 Toll Free
435.752.9180 Fax



February 2, 2017

BLAKE JORDAN
SENIOR WATER RIGHT AGENT
IDAHO DEPARTMENT OF WATER RESOURCES
EASTERN REGION
900 N. SKYLINE DRIVE, SUITE A
IDAHO FALLS, IDAHO 83402-1718

RE: EIGHT MILE RANCH, LLC – APPLICATION FOR TRANSFER

Dear Blake,

Western AgCredit, FLCA has a security lien interest in appropriated water rights owned by Eight Mile Ranch, LLC which are identified on the following page entitled, "Exhibit A."

Western AgCredit, FLCA is aware of the application for transfer and consents to the proposed changes identified in the application being submitted.

Sincerely,

Casey M. Beck
Assistant Vice President
Branch Manager
Western AgCredit

Exhibit A

- 11-340
- 11-341
- 11-342
- 11-343
- 11-344
- 11-345
- 11-346
- 11-355
- 11-356
- 11-362
- 11-363
- 11-364
- 11-365
- 11-366

WAIVER AND CONSENT

TO: Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Eight Mile Ranch, LLC
c/o Randall C. Budge, attorney
P.O. Box 1391
201 East Center Street
Pocatello, Idaho 83204-1391

FROM: Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole
12th Floor, 50 East North Temple St.
Salt Lake City, Utah 84150
Salt Lake City, Utah

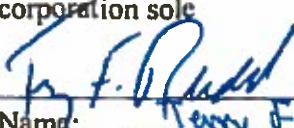
DATE: February 15, 2017

RE: Transfer Application Re: Water Right Nos. 11-363, 11-364, 11-365 and 11-366
Applicant: Eight Mile Ranch, LLC

The Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole ("CPB") hereby waives any right, title, interest or claim in or to Idaho Department of Water Recourses water right nos. 11-363, 11-364, 11-365 and 11-366.

The CPB further consents to the approval of the Application for Transfer of Eight Mile Ranch, LLC for the purpose of removing from the place of use of the referenced water rights certain property in the decreed place of use the property owned by the CPB (originally owned by the Idaho Stake, and the Dannoek Stake of the Church of Jesus Christ of Latter-day Saints and later transferred to the CBP) as described in the Deed to the Church of Jesus Christ of Latter-day Saints dated November 16, 1971, a copy of which is attached to the Application.

CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS, a
Utah corporation sole

By  GSC
Print Name: Terry F. Rudd
Title: AUTHORIZED AGENT

Warranty Deed

THIS INDENTURE, Made this 16th day of November, in the year of our Lord One Thousand Nine Hundred and Seventy-One, between Guy Harris and Cora C. Harris, husband and wife, of Grace, County of Caribou, State of Idaho, the parties of the first part, and The Idaho Stake of the Church of Jesus Christ of Latter-day Saints, an Idaho corporation sole, and Bannock Stake of the Church of Jesus Christ of Latter-day Saints, an Idaho corporation sole, County of Caribou, State of Idaho, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN THOUSAND TWO HUNDRED AND NO/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to its successors and assigns forever: All that certain lot place or parcel of land situate, lying and being in the County of Bear Lake, State of Idaho, bounded and more particularly described as follows, to-wit:

Township 10 South, Range 42 East of the Boise Meridian:

Section 20: Beginning at the Southwest corner of said Section 20, and running
thence North 800 feet;
thence East 460 feet;
thence North 57° East 86.454 feet;
thence North 39°30' East 900 feet;
thence North 66°45' East 1200 feet;
thence North 87°45' East 530 feet, more or less to County Road;
thence South 3°50' East 750 feet along said County Road;
thence West 130 feet, more or less, to Northeast corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20;
thence South 1320 feet, more or less, to the South Quarter corner of said Section 20;
thence West 2640 feet, more or less, to the point of beginning.

Together with the right to use water from a spring located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20, and a pipeline easement for an inch and one-quarter pipe.

PROVIDING, HOWEVER, That if the parties of the second part shall re-sell the above described premises, the parties of the first part have the first right and option to purchase the same on the same terms and conditions as said premises may otherwise be offered to any other bona fide purchaser.

Together with all and singular, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident unto the said parties of the second part, and to its successors and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said parties of the second part its successors and assigns against the said parties of the first part, and their heirs and against all and every person or persons whatsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.
Signed, Sealed and Delivered in the Presence of

Guy Harris [Seal]
Cora C. Harris [Seal]
[Seal]
[Seal]

WARRANTY DEED

REVENUE STAMPS

For Value Received

JOSEPH H. FOSTER, also known as Hyrum J. Foster, and JANE KATHERINE FOSTER, husband and wife,
the grantors do hereby grant, bargain, sell and convey unto

WEST POCATELLO STAKE of the CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a corporation sole,
the grantees, the following described premises, in Bear Lake County Idaho, to wit:

East Half of the Southeast Quarter;
Southwest Quarter of the Southeast
Quarter, Section 20, Township 10
South, Range 42 East, Boise Meridian,
Bear Lake County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S,
its heirs and assigns forever. And the said Grantor S do hereby covenant to and
with the said Grantee, that they are the owners in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 17, 1969.

STATE OF IDAHO, COUNTY OF Bannock

On this 17th day of Feb., 1969,
before me, a notary public in and for said State, personally
appeared

JOSEPH H. FOSTER, also
known as Hyrum J. Foster
and Jana Katherine Foster,

known to me to be the person S whose name S are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Ray L. Higgins Notary Public
Residing at Pocatello, Id., Idaho
Comm. Expires June 9, 1971

92813

STATE OF IDAHO

County Bannock
Date March 20, 1969

Time 4:30 p.m.
No. 92813
Sub. 12-Sub

Billy Sullivan, Deputy
fee .90 RETURN

Printed by the POCATELLO FILE CO.

STATE OF IDAHO,
County of Caribou.

On this 29th day of March, in the year 1972, before me
the undersigned, Notary Public in and for said County and State, personally appeared
Guy Harris and Cora C. Harris, husband and wife,
known to me to
be the person or persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Leonard C. Kingsford
Notary Public.

Residence and P. O. Address: Soda Springs, Idaho.
My commission expires August 14, 1973.

98065

WARRANTY DEED

Guy Harris and Cora C. Harris,
Husband and Wife,

TO

Idaho State of the Church of Jesus
Christ of Latter-day Saints, an
Idaho corporation sole; and
Bannock State of the Church of Jesus
Christ of Latter-day Saints, an
Idaho corporation sole.
Dated November 16, 1971.

STATE OF IDAHO.

County of Blaine, Idaho.

I hereby certify that this instrument was filed for
record at the request of

Caribou Title Company dba,
HENRY LAKE Title Company

at 35 minutes past

of March, A. D. 1972, day

in my office and duly recorded in 2044X

SPRINGFIELD RECORDS

David A. Williams
County Clerk

Billy J. Wallace
Deputy.

Fee, \$ 2.00

City, Printed & Sold by, Inc., P.O. Box 1114, 11200

INDEXED

State of Idaho
Department of Water Resources

Water Right

11-340

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.



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

0 0.3 0.6 1.2 Miles



Map produced on January 25, 2017

815254

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/25/2017

WATER RIGHT NO. 11-340

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGHT MILE RANCH LLC 1501 EIGHT MILE CREEK RD SODA SPRINGS, ID 83276 (208)547-3082
Security Interest	WESTERN AGCREDIT FLCA 10980 S JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA 406 W SOUTH JORDAN PKWY STE 500 SOUTH JORDAN, UT 84095

Priority Date: 05/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	2 CFS	
Total Diversion			2 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK|SENW|Sec. 16|Township 10S|Range 42E|BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	42E	3		SWSW										
		4		SESE										
		9		NENE			NWNE			SWNE			SENE	
		10		NESE										
				NWNW										

Conditions of Approval:

1. P/D, SIMMONS DITCH. P/U, AC IRR=100.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

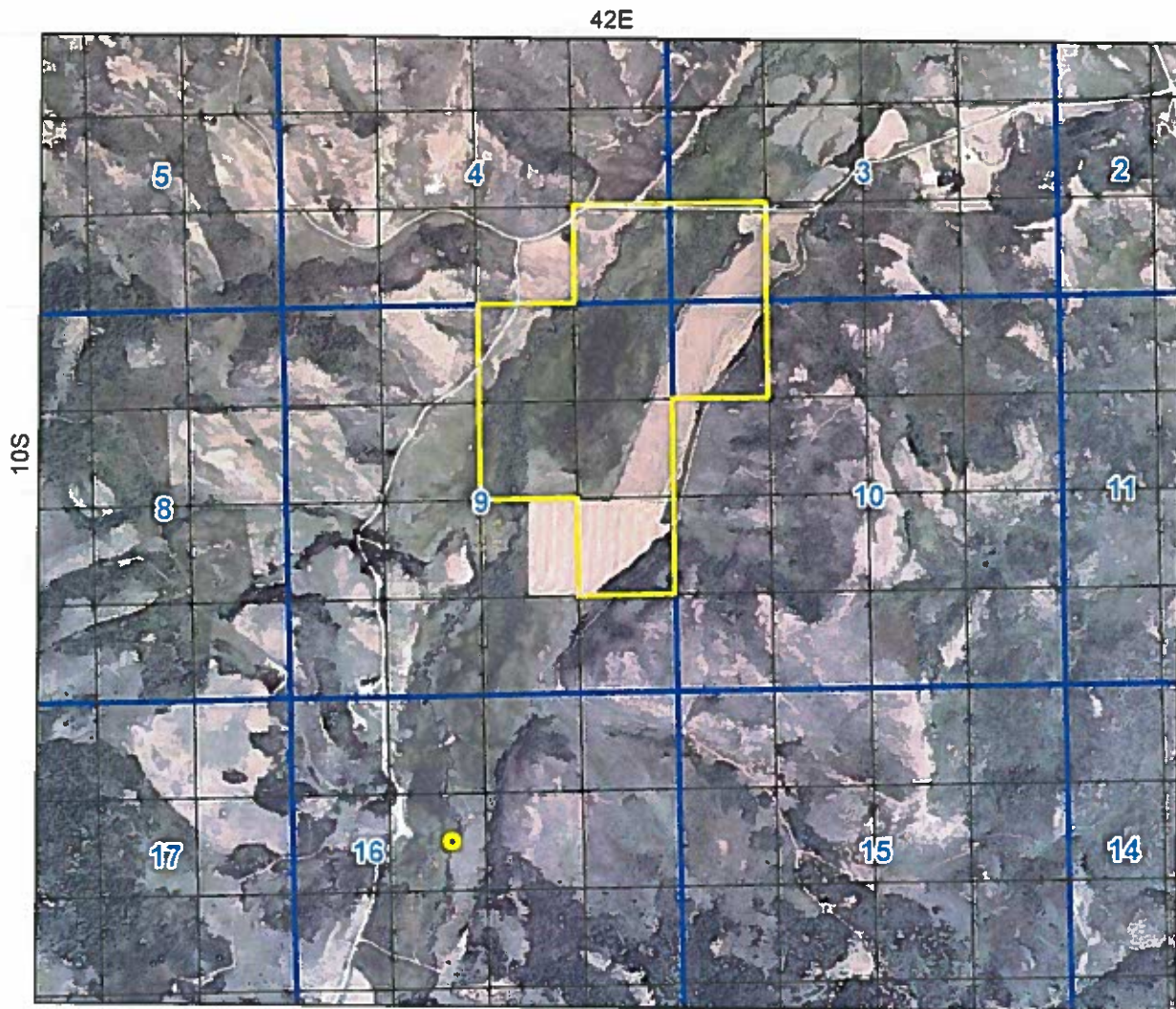
State of Idaho
Department of Water Resources

Water Right

11-341

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.



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

0 0.3 0.6 1.2 Miles



Map produced on January 25, 2017

815254

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/25/2017

WATER RIGHT NO. 11-341

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGHT MILE RANCH LLC 1501 EIGHT MILE CREEK RD SODA SPRINGS, ID 83276 (208)547-3082
Security Interest	WESTERN AGCREDIT FLCA 10980 S JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA 406 W SOUTH JORDAN PKWY STE 500 SOUTH JORDAN, UT 84095

Priority Date: 05/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	1 CFS	
Total Diversion			1 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK|SENW|Sec. 16|Township 10S|Range 42E|BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	42E	3		SWSW										
		4		SESE										
		9		NENE			NWNE			SWNE			SENE	
				NESE										
		10		NWNW										

Conditions of Approval:

1. P/D, SIMMONS DITCH. P/U, AC IRR=50.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

State of Idaho
Department of Water Resources

Water Right
11-342

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.



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

0 0.3 0.6 1.2 Miles



Map produced on January 25, 2017

1525

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/25/2017

WATER RIGHT NO. 11-342

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGHT MILE RANCH LLC 1501 EIGHT MILE CREEK RD SODA SPRINGS, ID 83276 (208)547-3082
Security Interest	WESTERN AGCREDIT FLCA 10980 S JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA 406 W SOUTH JORDAN PKWY STE 500 SOUTH JORDAN, UT 84095

Priority Date: 05/01/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	1 CFS	
Total Diversion			1 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK|SENW|Sec. 16|Township 10S|Range 42E|BEAR LAKE County

815254

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	42E	3		SWSW										
		9		NENE			NWNE			SWNE			SENE	
		10		NESE										
				NWNW										

Conditions of Approval:

1. P/D, SIMMONS DITCH. P/U, AC IRR=50.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

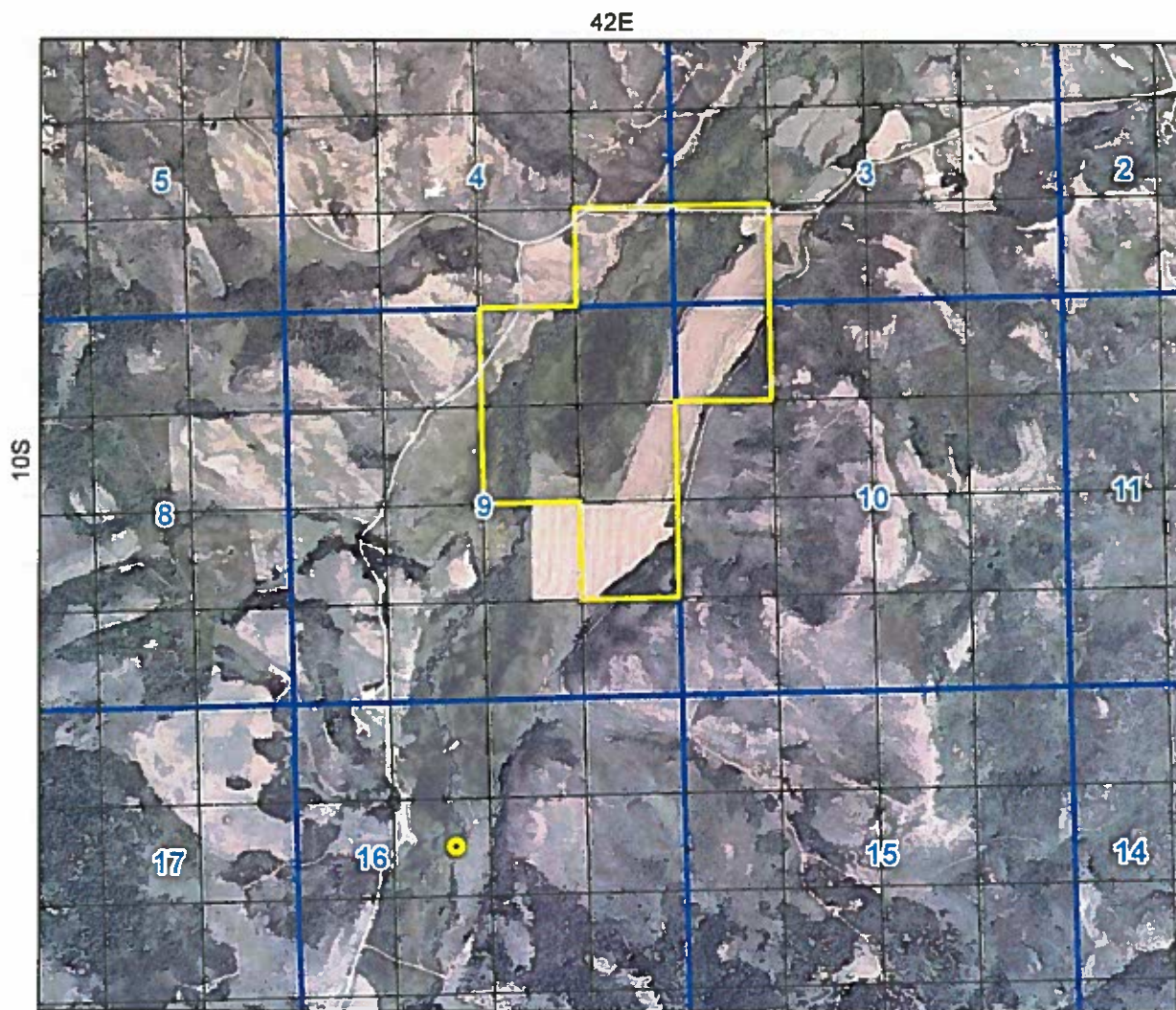
Close

State of Idaho
Department of Water Resources

Water Right 11-343

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.



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

0 0.3 0.6 1.2 Miles



[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/25/2017

WATER RIGHT NO. 11-343

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGHT MILE RANCH LLC 1501 EIGHT MILE CREEK RD SODA SPRINGS, ID 83276 (208)547-3082
Security Interest	WESTERN AGCREDIT FLCA 10980 S JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA 406 W SOUTH JORDAN PKWY STE 500 SOUTH JORDAN, UT 84095

Priority Date: 05/01/1912

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.2 CFS	
Total Diversion			0.2 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK|SENW|Sec. 16|Township 10S|Range 42E|BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	42E	3		SWSW										
		4		SESE										
		9		NENE			NWNE			SWNE			SENE	
				NESE										
		10		NWNW										

Conditions of Approval:

1. P/D, SIMMONS DITCH. P/U, AC IRR=10

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

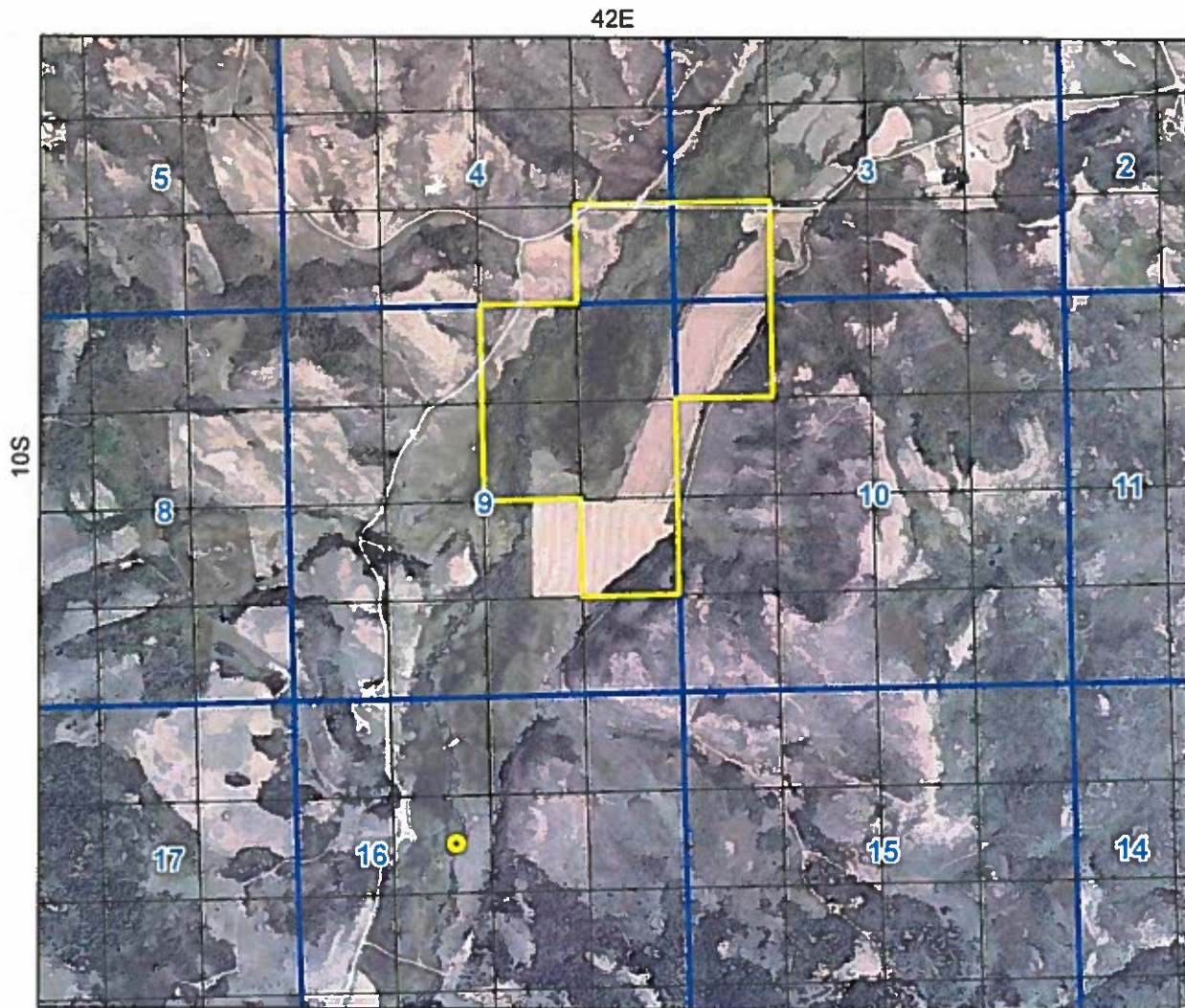
Close

State of Idaho
Department of Water Resources

Water Right 11-344

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.



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

0 0.3 0.6 1.2 Miles



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/25/2017

WATER RIGHT NO. 11-344

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGHT MILE RANCH LLC 1501 EIGHT MILE CREEK RD SODA SPRINGS, ID 83276 (208)547-3082
Security Interest	WESTERN AGCREDIT FLCA 10980 S JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA 406 W SOUTH JORDAN PKWY STE 500 SOUTH JORDAN, UT 84095

Priority Date: 05/15/1912

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.7 CFS	
Total Diversion			0.7 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK|SENW|Sec. 16|Township 10S|Range 42E|BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	42E	3		SWSW										
		4		SESE										
		9		NENE			NWNE			SWNE			SENE	
				NESE										
		10		NWNW										

Conditions of Approval:

1. P/D, SIMMONS DITCH. P/U, AC IRR=35.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

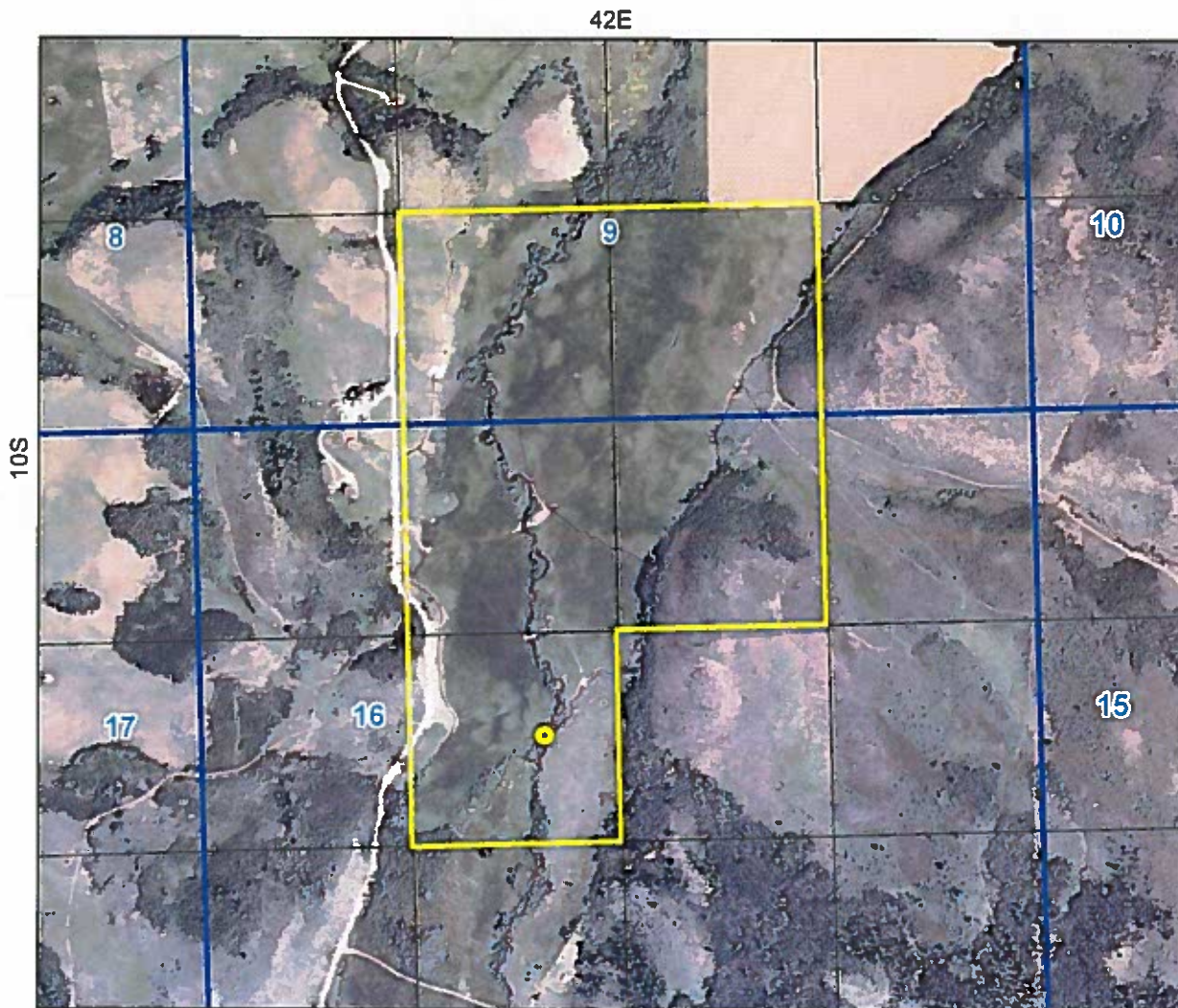
Close

State of Idaho
Department of Water Resources

Water Right
11-345

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.



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

0 0.125 0.25 0.5 Miles



Map produced on January 25, 2017

[Close](#)**IDAHO DEPARTMENT OF WATER RESOURCES**
Water Right Report

1/25/2017

WATER RIGHT NO. 11-345

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGHT MILE RANCH LLC 1501 EIGHT MILE CREEK RD SODA SPRINGS, ID 83276 (208)547-3082
Security Interest	WESTERN AGCREDIT FLCA 10980 S JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA 406 W SOUTH JORDAN PKWY STE 500 SOUTH JORDAN, UT 84095

Priority Date: 05/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.9 CFS	
Total Diversion			0.9 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK | SENW | Sec. 16 | Township 10S | Range 42E | BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	42E	9		SESW										
				SWSE										
		16		NWNE										
				NENW			SENW							

Conditions of Approval:

1. P/D, SIMMONS DITCH. P/U, AC IRR=45.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

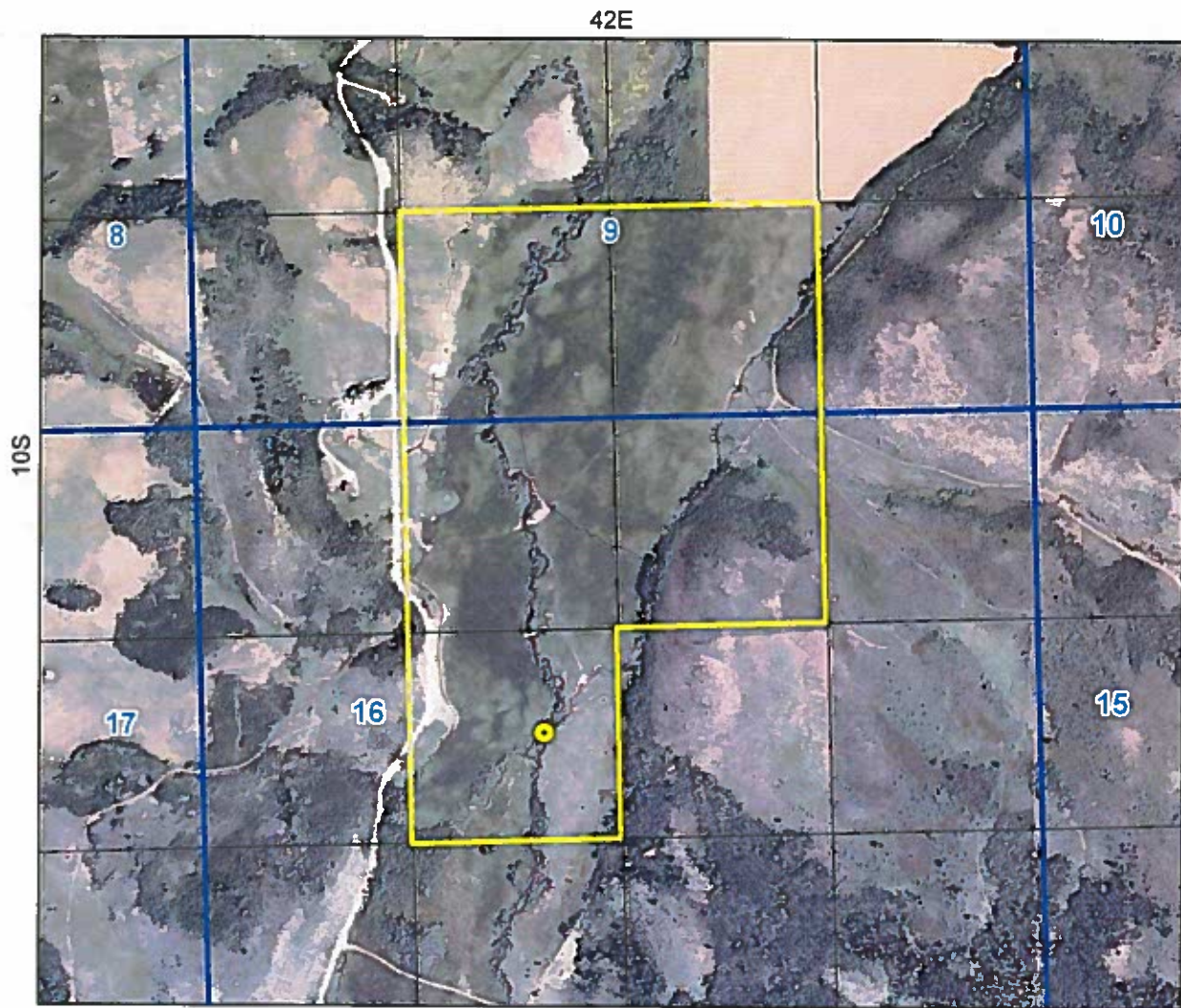
State of Idaho
Department of Water Resources

Water Right

11-346

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.



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

0 0.125 0.25 0.5 Miles



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/25/2017

WATER RIGHT NO. 11-346

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGHT MILE RANCH LLC 1501 EIGHT MILE CREEK RD SODA SPRINGS, ID 83276 (208)547-3082
Security Interest	WESTERN AGCREDIT FLCA 10980 S JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA 406 W SOUTH JORDAN PKWY STE 500 SOUTH JORDAN, UT 84095

Priority Date: 05/01/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	1 CFS	
Total Diversion			1 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK|SENW|Sec. 16|Township 10S|Range 42E|BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	42E	9		SESW										
		16		SWSE										
				NWNE										
				NENW			SENW							

Conditions of Approval:

1. P/D, SIMMONS DITCH. P/U, AC IRR=50.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

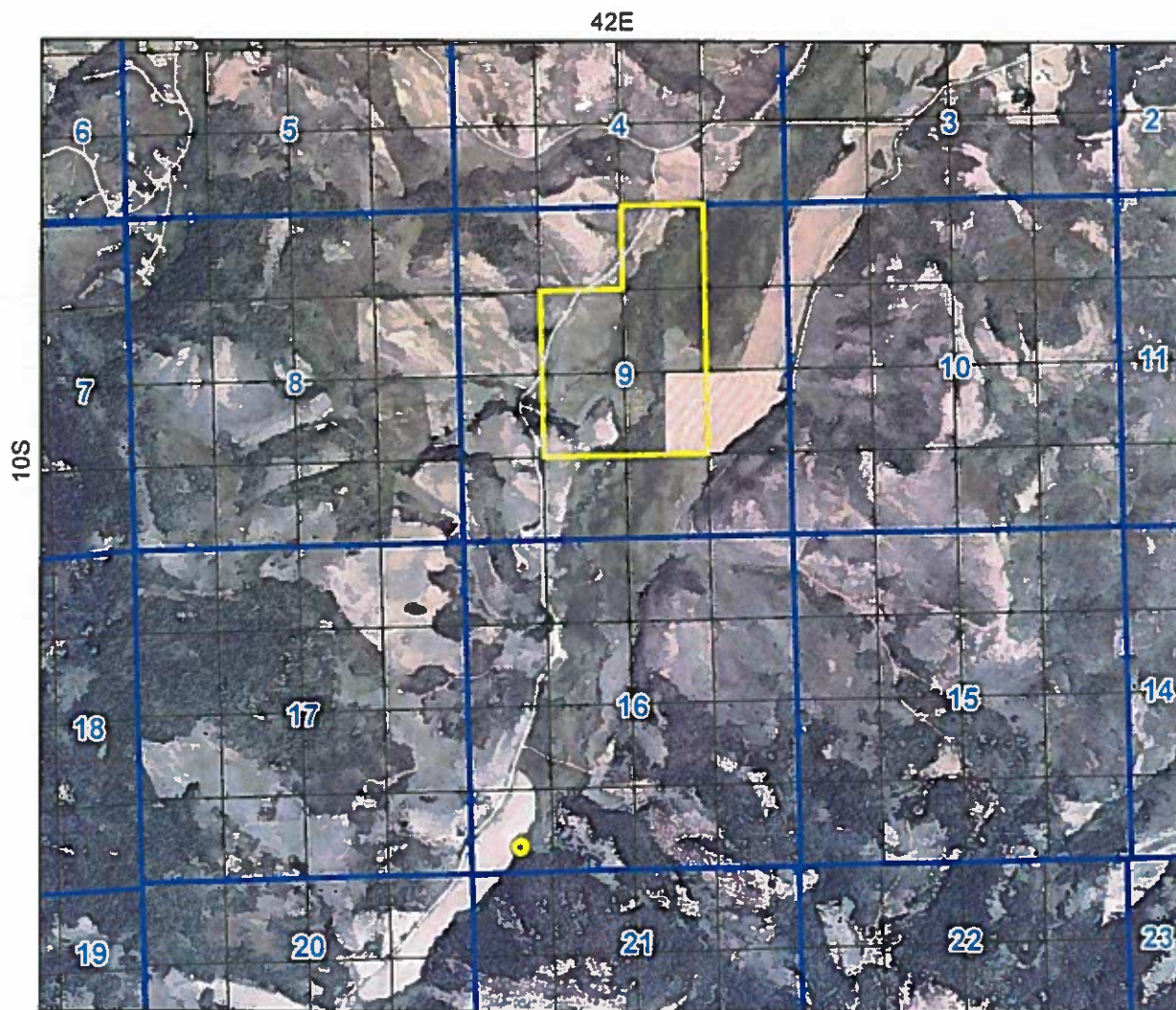
State of Idaho
Department of Water Resources

Water Right

11-355

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.



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

0 0.35 0.7 1.4 Miles



[Close](#)**IDAHO DEPARTMENT OF WATER RESOURCES**
Water Right Report

1/25/2017

WATER RIGHT NO. 11-355

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGHT MILE RANCH LLC 1501 EIGHT MILE CREEK RD SODA SPRINGS, ID 83276 (208)547-3082
Security Interest	WESTERN AGCREDIT FLCA 10980 S JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA 406 W SOUTH JORDAN PKWY STE 500 SOUTH JORDAN, UT 84095

Priority Date: 05/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.9 CFS	
Total Diversion			0.9 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK|SWSW|Sec. 16|Township 10S|Range 42E|BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	42E	9		NWNE			SWNE							
				SENE										
				NESW										
				NWSE										

Conditions of Approval:

1. P/D, WOODALL-FOSTER-MUNRO DITCH. P/U, AC IRR=45.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

State of Idaho
Department of Water Resources

Water Right

11-356

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.



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

0 0.35 0.7 1.4 Miles



Map produced on January 25, 2017

815254

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/25/2017

WATER RIGHT NO. 11-356

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGHT MILE RANCH LLC 1501 EIGHT MILE CREEK RD SODA SPRINGS, ID 83276 (208)547-3082
Original Owner	CHARLES W FOSTER RT 2 BOX 167 ST ANTHONY, ID 83445 (208)624-7112

Priority Date: 05/01/1891
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	1 CFS	
Total Diversion			1 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK|SWSW|Sec. 16|Township 10S|Range 42E|BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	42E	9		NWNE			SWNE							

Conditions of Approval:

1. P/D, WOODALL-FOSTER-MUNRO DITCH. P/U AC. IRR. = 60.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

State of Idaho
Department of Water Resources

Water Right

11-362

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.

42E



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

0 0.045 0.09 0.18 Miles



Close

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

1/25/2017

WATER RIGHT NO. 11-362

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGHT MILE RANCH LLC 1501 EIGHT MILE CREEK RD SODA SPRINGS, ID 83276 (208)547-3082
Security Interest	WESTERN AGCREDIT FLCA 10980 S JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA 406 W SOUTH JORDAN PKWY STE 500 SOUTH JORDAN, UT 84095

Priority Date: 05/15/1912

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.5 CFS	
Total Diversion			0.5 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK|NWSE|Sec. 09|Township 10S|Range 42E|BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	42E	9		NWSE	25									

Total Acres: 25

Conditions of Approval:

1. P/D, FOSTER DITCH, DECREED P/D IS IN ERROR, R.40E. TO R.42E.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

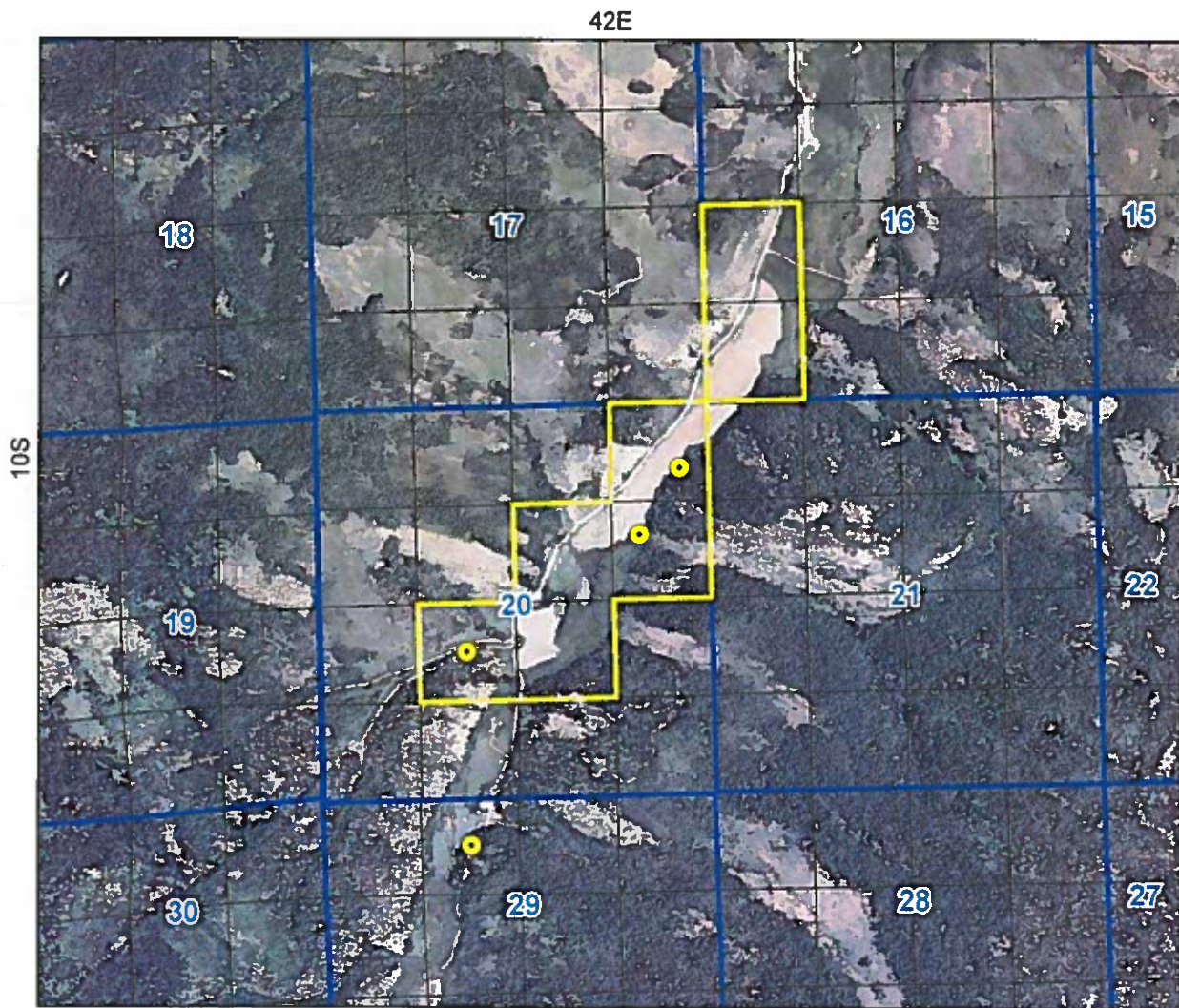
State of Idaho
Department of Water Resources

Water Right

11-363

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.



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

0 0.3 0.6 1.2 Miles



Map produced on August 10, 2016

81525

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/10/2016

WATER RIGHT NO. 11-363

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICK GALLAGHER
Current Owner	GEORGE GREEN
Current Owner	D A WOODALL
Current Owner	J D WOODALL
	PO BOX 33
	VICTOR, ID 83455
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA
	406 W SOUTH JORDAN PKWY STE 500
	SOUTH JORDAN, UT 84095

Priority Date: 05/01/1892

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	1.4 CFS	
Total Diversion			1.4 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK	NENE	Sec. 20	Township 10S	Range 42E	BEAR LAKE County
EIGHTMILE CREEK	SENE	Sec. 20	Township 10S	Range 42E	BEAR LAKE County
EIGHTMILE CREEK	NESW	Sec. 20	Township 10S	Range 42E	BEAR LAKE County
EIGHTMILE CREEK	NESW	Sec. 20	Township 10S	Range 42E	BEAR LAKE County
EIGHTMILE CREEK	NENW	Sec. 29	Township 10S	Range 42E	BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	42E	16		NWSW			SWSW							
		20		NENE			SWNE			SENE				
				NESW										
				NWSE										

Conditions of Approval:

1. P/D, WOODALL DITCHES. 5 POINTS OF DIVERSION. P/U, AC IRR=70.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

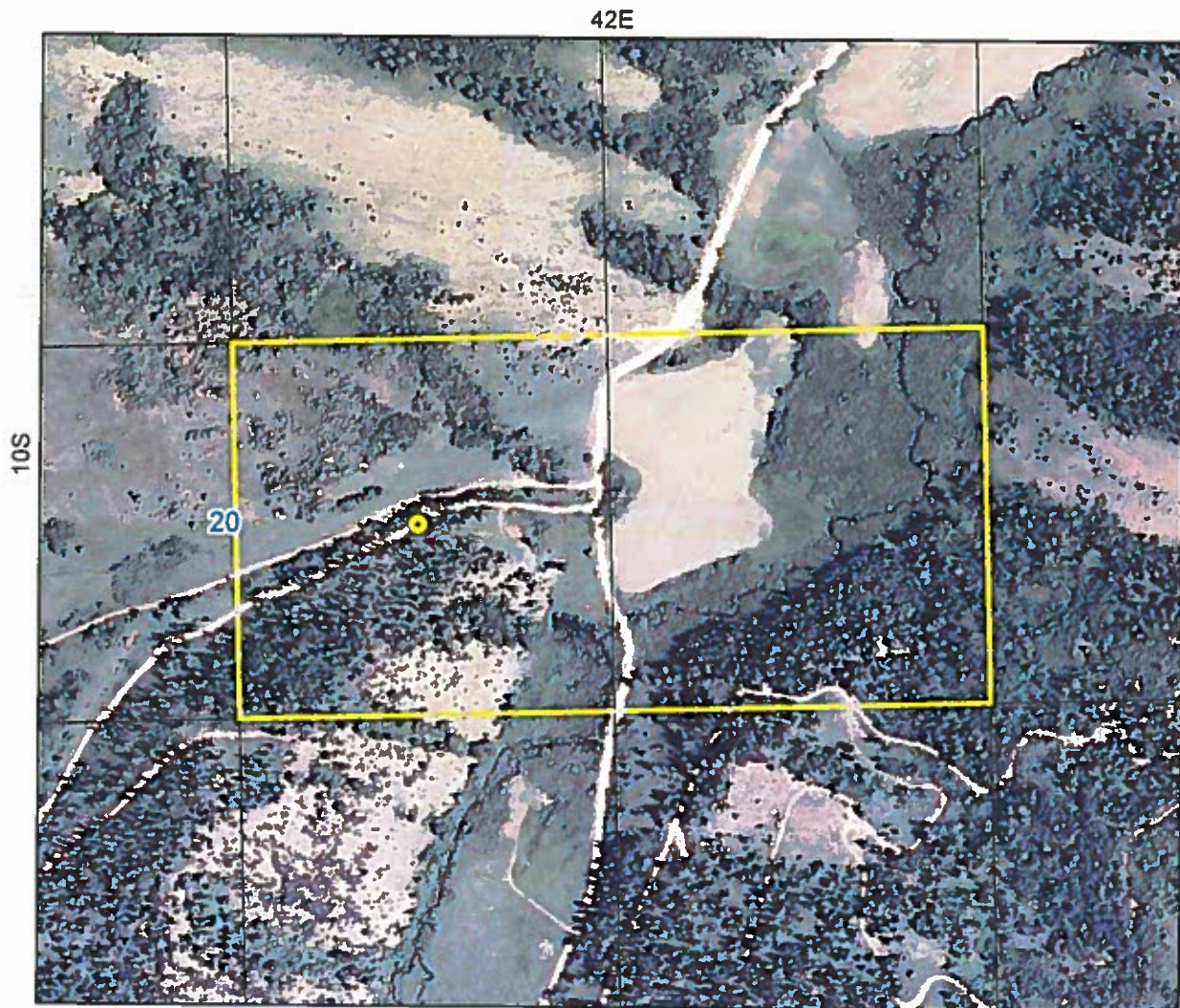
State of Idaho
Department of Water Resources

Water Right

11-364

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.



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

0 0.075 0.15 0.3 Miles

Map produced on August 10, 2016

81525

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/10/2016

WATER RIGHT NO. 11-364

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICK GALLAGHER
Current Owner	GEORGE GREEN
Current Owner	D A WOODALL
Current Owner	J D WOODALL
	PO BOX 33
	VICTOR, ID 83455
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA
	406 W SOUTH JORDAN PKWY STE 500
	SOUTH JORDAN, UT 84095

Priority Date: 05/01/1894

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.4 CFS	
Total Diversion			0.4 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK | NESW | Sec. 20 | Township 10S | Range 42E | BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	42E	20		NESW NWSE										

Conditions of Approval:

1. P/D, WOODALL DITCHES. 5 POINTS OF DIVERSION. P/U, AC IRR=20.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

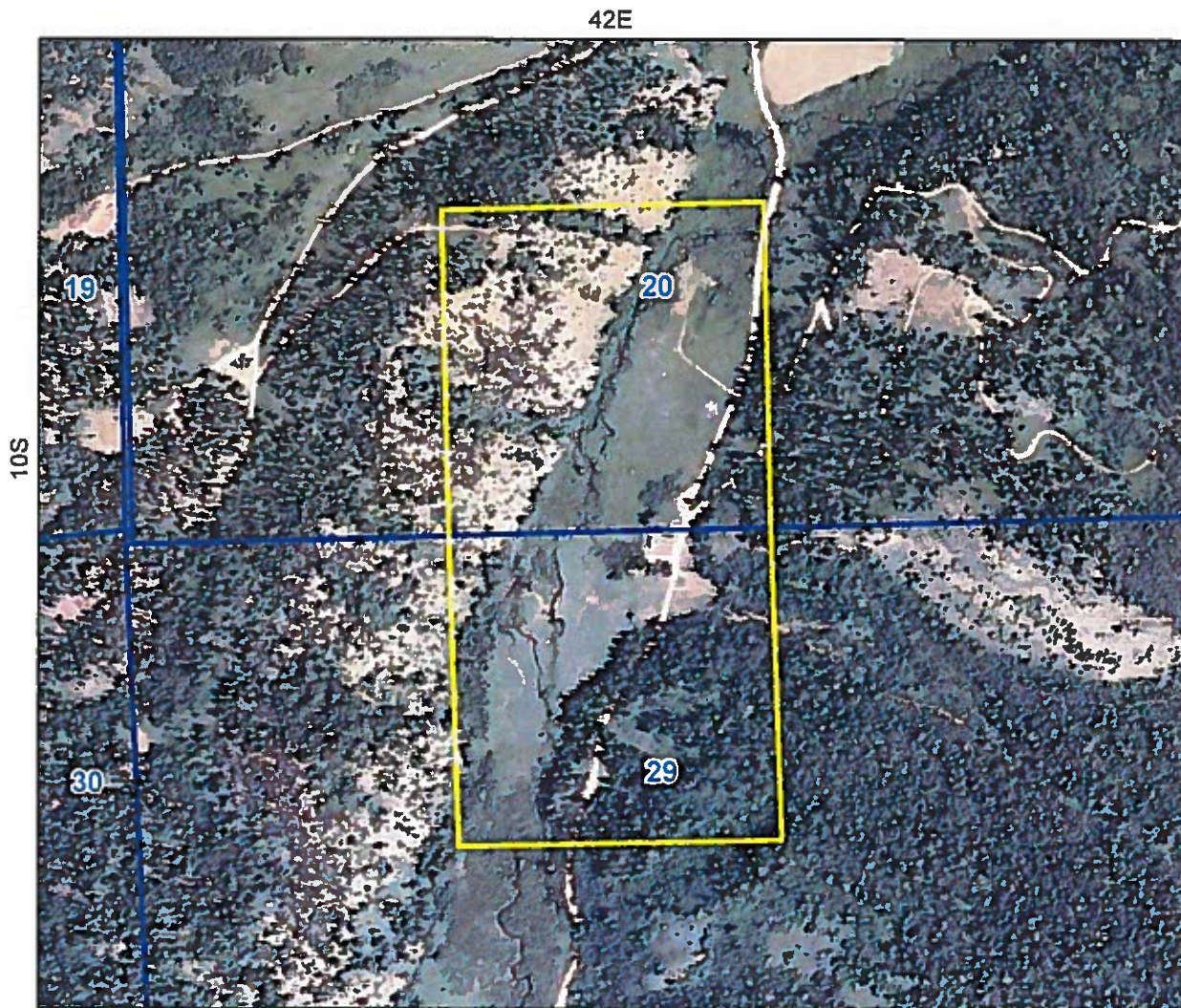
Close

State of Idaho
Department of Water Resources

Water Right
11-365

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 0.075 0.15 0.3 Miles

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



Map produced on April 14, 2015

81525 1

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/14/2015

WATER RIGHT NO. 11-365

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICK GALLAGHER
Current Owner	GEORGE GREEN
Current Owner	D A WOODALL
Current Owner	J D WOODALL
	PO BOX 33
	VICTOR, ID 83455
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA
	406 W SOUTH JORDAN PKWY STE 500
	SOUTH JORDAN, UT 84095

Priority Date: 05/01/1912

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	0.24 CFS	
Total Diversion			0.24 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK|NENW|Sec. 29|Township 10S|Range 42E|BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	42E	20		SESW										
		29		NENW										

Conditions of Approval:

1. P/D, WOODALL DITCHES. 5 POINTS OF DIVERSION. P/U, AC IRR=12.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

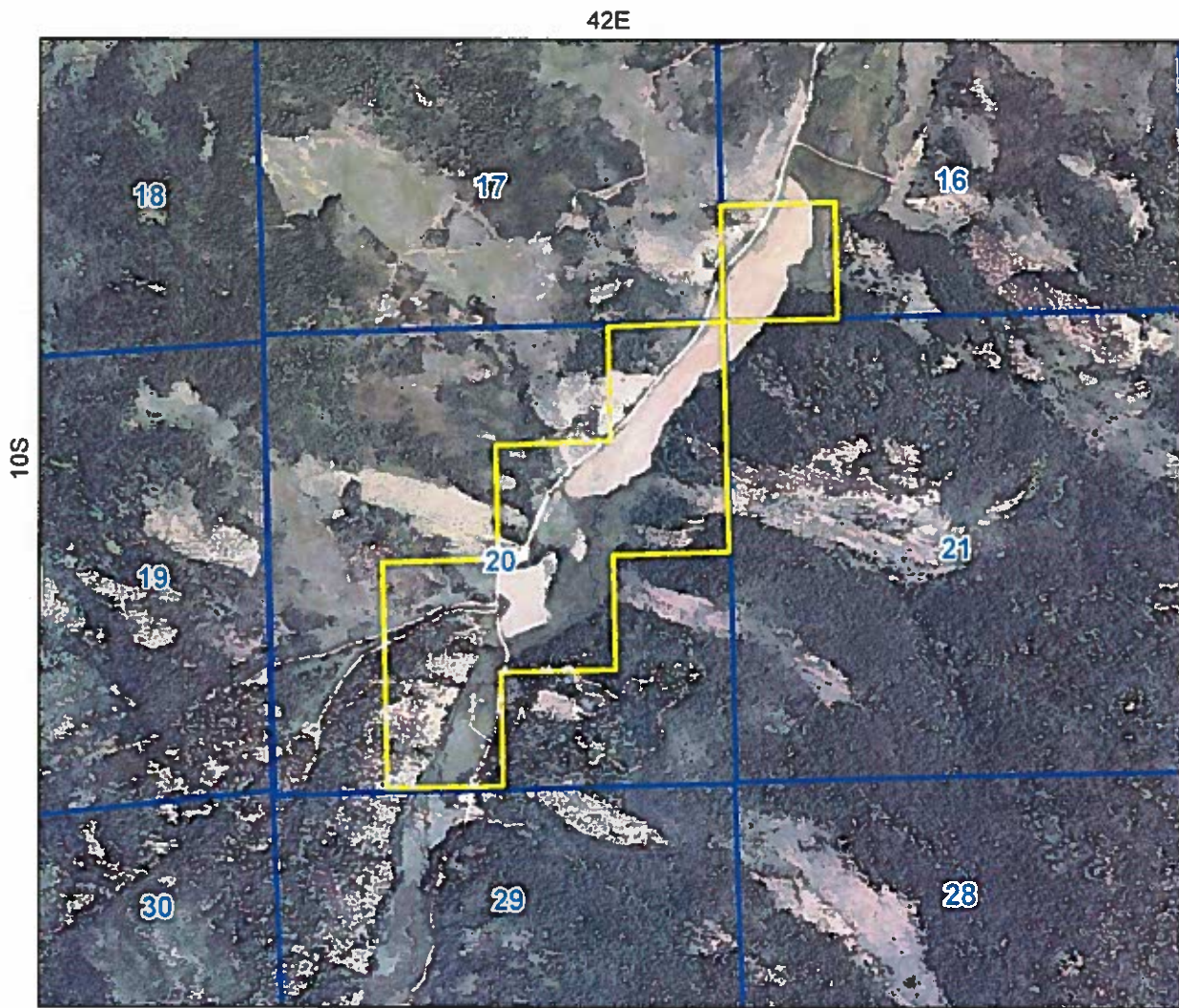
State of Idaho
Department of Water Resources

Water Right

11-366

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 0.25 0.5 1 Miles

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



Map produced on April 14, 2015

81525

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/10/2016

WATER RIGHT NO. 11-366

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICK GALLAGHER
Current Owner	GEORGE GREEN
Current Owner	D A WOODALL
Current Owner	J D WOODALL
	PO BOX 33
	VICTOR, ID 83455
Security Interest	FEDERAL LAND BANK ASSN OF UTAH FLCA
	406 W SOUTH JORDAN PKWY STE 500
	SOUTH JORDAN, UT 84095

Priority Date: 05/15/1912

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTMILE CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/20	9/30	1.5 CFS	
Total Diversion			1.5 CFS	

Location of Point(s) of Diversion:

EIGHTMILE CREEK	NENE	Sec. 20	Township 10S	Range 42E	BEAR LAKE County
EIGHTMILE CREEK	SENE	Sec. 20	Township 10S	Range 42E	BEAR LAKE County
EIGHTMILE CREEK	NESW	Sec. 20	Township 10S	Range 42E	BEAR LAKE County
EIGHTMILE CREEK	NENW	Sec. 29	Township 10S	Range 42E	BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	42E	16		SWSW										
		20		NENE			SWNE			SENE				
				NESW			SESW							
				NWSE										

Conditions of Approval:

1. P/D, WOODALL DITCHES. 5 POINTS OF DIVERSION. P/U, AC IRR=75.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 11A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
FEB 24 2017

Department of Water Resources
Eastern Region

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.

Name of Applicant(s) Eight Mile Ranch, 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 #1-10.

- ☐ ☒ #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.
- ☒ ☐ #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 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 24 2017

Department of Water Resources
Eastern Region

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

Name of Applicant(s) Eight Mile Ranch, LLC Phone 208-547-3082

Mailing address 1501 Eight Mile Creek Road, Soda Springs, Idaho 83276 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 Randall C. Budge Phone 208-232-6101

Mailing address P. O. Box 1391, Pocatello, Idaho 83204-1391 Email rcb@racinelaw.net

- ☐ 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.

Randall C. Budge
Signature of Applicant or Authorized Representative

Randall C. Budge, Attorney
Print Name and Title if applicable

1/27/17
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.
SEE ATTACHED NARRATIVE

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.

[illegible]

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

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

3. Point(s) of Diversion:

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

[illegible]

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.)

[illegible]

PART 1B. ATTACHMENT

WATER RIGHTS

Water Right #	Amount (cfs)	Nature of Use	Period of Use	Source
11-340	2	Irrigation	4/20 to 9/30	Eight Mile Creek
11-341	1	Irrigation	4/20 to 9/30	Eight Mile Creek
11-342	1	Irrigation	4/20 to 9/30	Eight Mile Creek
11-343	0.2	Irrigation	4/20 to 9/30	Eight Mile Creek
11-344	0.7	Irrigation	4/20 to 9/30	Eight Mile Creek
11-345	0.9	Irrigation	4/20 to 9/30	Eight Mile Creek
11-346	1	Irrigation	4/20 to 9/30	Eight Mile Creek
11-355	0.9	Irrigation	4/20 to 9/30	Eight Mile Creek
11-356	1	Irrigation	4/20 to 9/30	Eight Mile Creek
11-362	0.5	Irrigation	4/20 to 9/30	Eight Mile Creek
11-363	1.4	Irrigation	4/20 to 9/30	Eight Mile Creek
11-364	0.4	Irrigation	4/20 to 9/30	Eight Mile Creek
11-365	0.24	Irrigation	4/20 to 9/30	Eight Mile Creek
11-366	1.5	Irrigation	4/20 to 9/30	Eight Mile Creek

PART 1B. ATTACHMENT

NEW POINTS OF DIVERSION - EIGHT MILE CREEK

Township 10 South, Range 42 East, B.M.

Section 9: NWNE, SWNE, NWSE, NESW

Section 16: SWNE

SUPERCEDED

81525

Purpose of Transfer - Part 1A.2.

The purpose of the Transfer Application is to combine the points of diversion and places of use under all of the subject water rights as identified on the attached map. The Eight Mile Creek points of diversion are identified by red dots.

The Church of Jesus Christ of Latter-Day Saints (the "Church") owns a portion of the real property identified in the place of use as originally decreed for water right nos. 11-363, 11-364, and 11-366 and has signed the attached Waiver and Consent waiving any interest in these water rights and consenting to the approval of this Application for Transfer for the purpose of removing from the place of use the property owned by the Church.

SUPERCEDED

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:

SEE ATTACHED NARRATIVE. *where?*

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

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

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None. The land now irrigated will continue to be irrigated.

- 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: _____

- g. 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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ 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 any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(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.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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:

SUPERCEDED

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

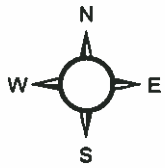
Received by SC Date 2/24/17 Preliminary check by _____ Date _____

Fee paid 1460.00 Date 2/24/17 Received by SC Receipt # E042773

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Part 1.B.



Legend

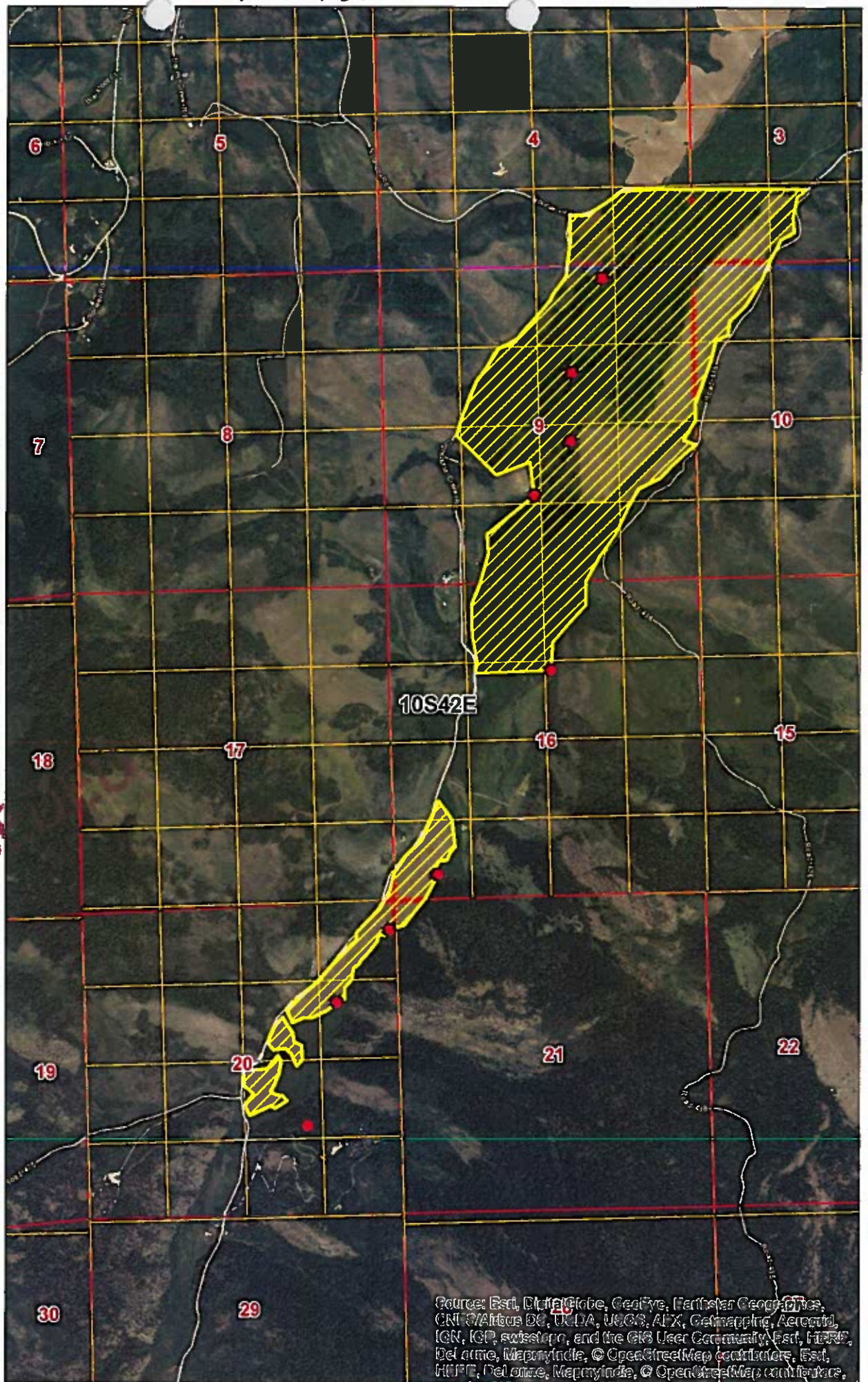
- POD
- ▨ POU
- ▭ TR Lines
- ▭ Section Lines
- ▭ Quarter Quarters

581.4
ACRES

SUPERACK

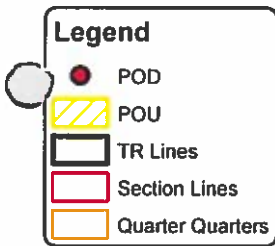


26464



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/VIAIRUS DE, USDA, USGS, AFX, Gainsmapping, Aerial, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors.

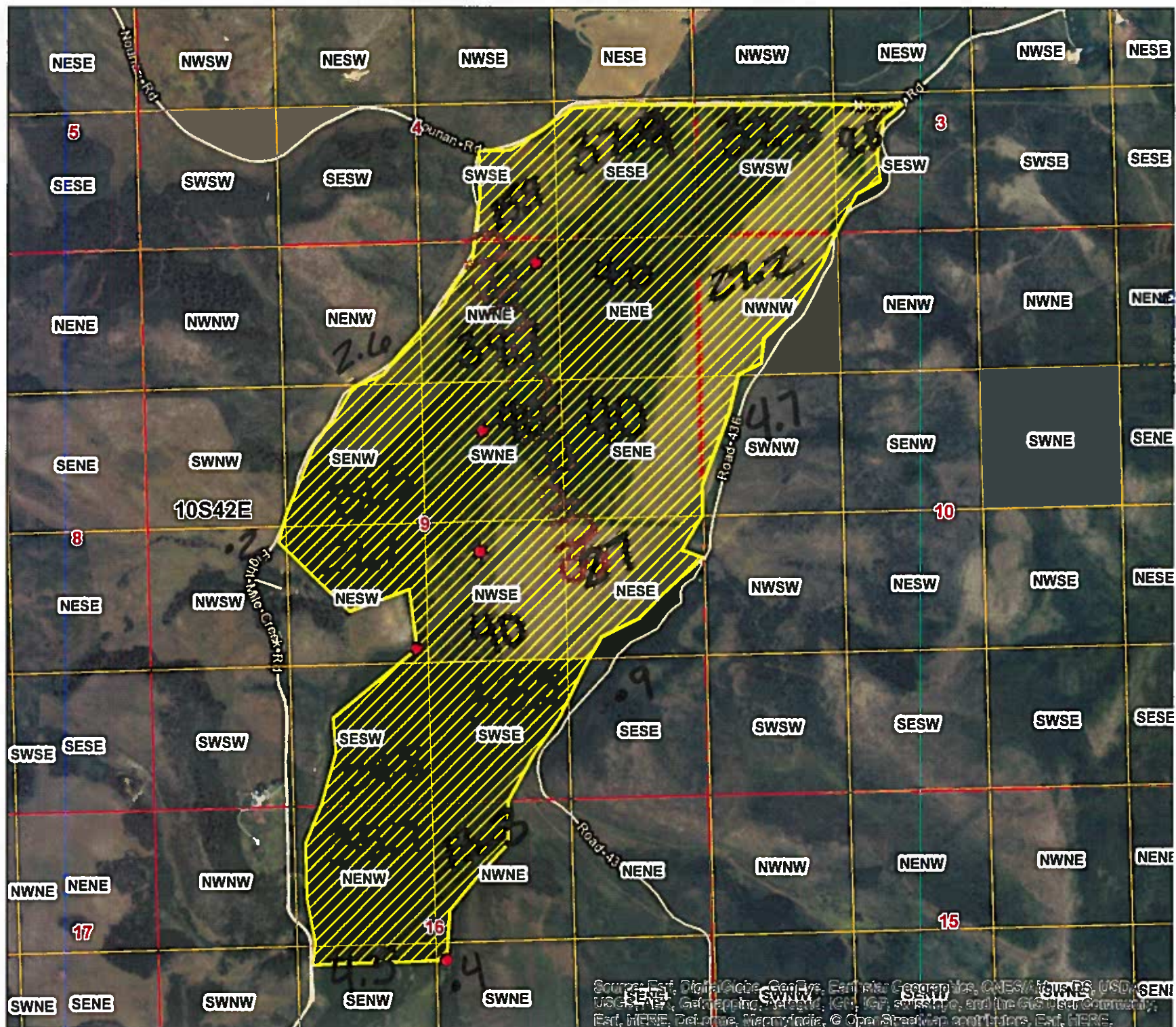
81540

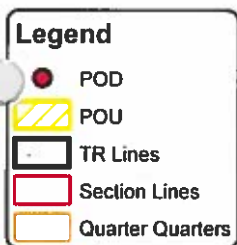


521.5
acres



26464

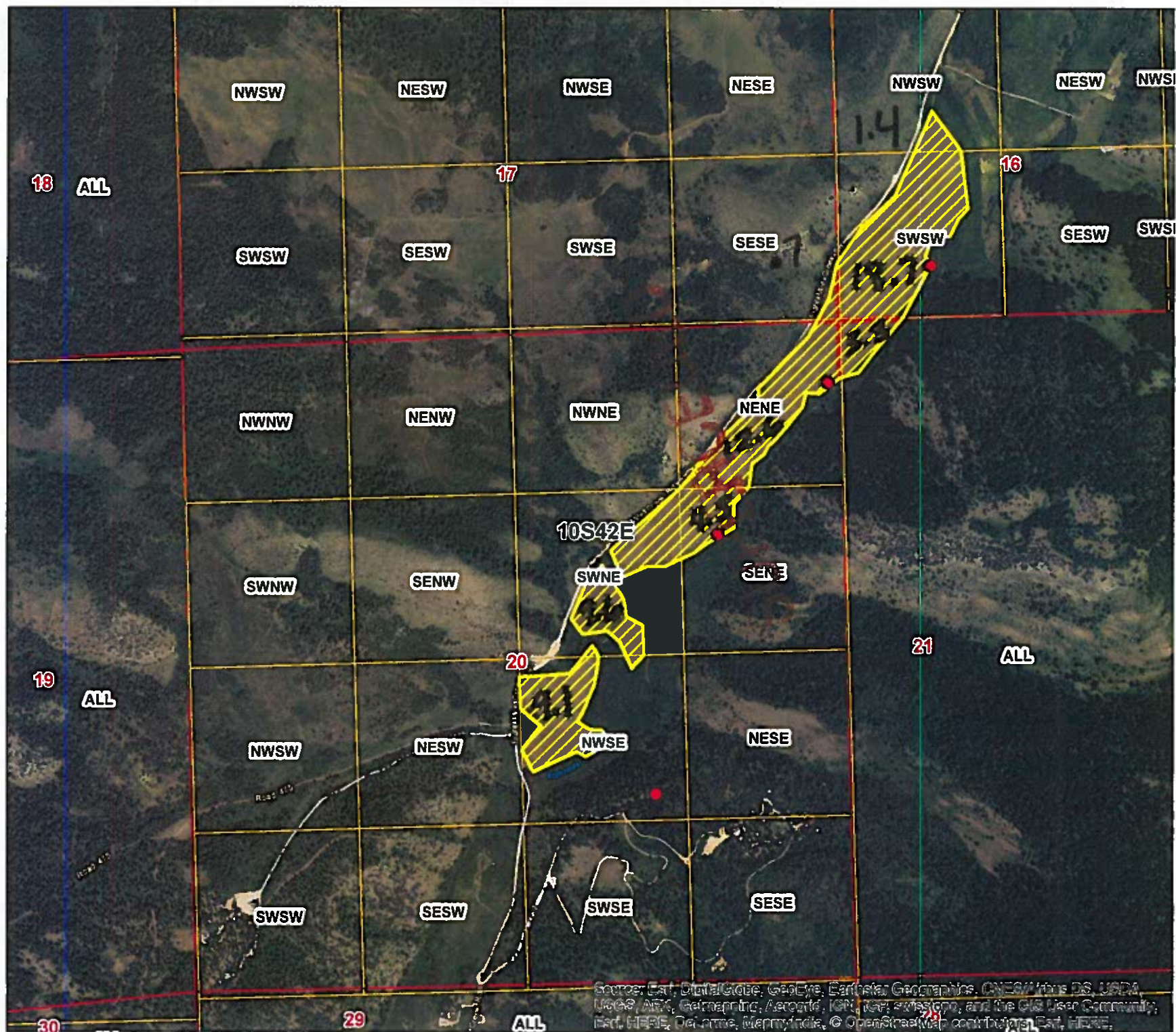




59.9
acres



26464



SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

Eight Mile Ranch, LLC, hereby appoints the law firm of RACINE OLSON NYE BUDGE & BAILEY, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf.

DATED this 18th day of August, 2013.

EIGHT MILE RANCH, LLC

Janet G. Harris

(Signature)

Janet G. Harris

(Printed name)

1501 Eight Mile Creek Road

(Address)

Soda Springs, Idaho 83276

C. McGee Harris

(Signature)

C. McGee Harris

(Printed name)

1501 Eight Mile Creek Road

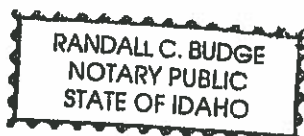
(Address)

Soda Springs, Idaho 83276

STATE OF IDAHO

County of Bannock

On this 18th day of August, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared C. McGee Harris and Janet G. Harris, known or proved to me by satisfactory evidence to be the Managers of Eight Mile Ranch, LLC, and the person whose name is subscribed to the foregoing, and acknowledged to me that they executed the same on behalf of Eight Mile Ranch, LLC.



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Commission expires: 10/11/16
Pocatello, ID.



2195 North Main Street
Logan, Utah 84341
435.752.2146
800.748.5071 Toll Free
435.752.9180 Fax



February 2, 2017

BLAKE JORDAN
SENIOR WATER RIGHT AGENT
IDAHO DEPARTMENT OF WATER RESOURCES
EASTERN REGION
900 N. SKYLINE DRIVE, SUITE A
IDAHO FALLS, IDAHO 83402-1718

RE: EIGHT MILE RANCH, LLC – APPLICATION FOR TRANSFER

Dear Blake,

Western AgCredit, FLCA has a security lien interest in appropriated water rights owned by Eight Mile Ranch, LLC which are identified on the following page entitled, "Exhibit A."

Western AgCredit, FLCA is aware of the application for transfer and consents to the proposed changes identified in the application being submitted.

Sincerely,

Casey M. Beck
Assistant Vice President
Branch Manager
Western AgCredit

Exhibit A

- 11-340
- 11-341
- 11-342
- 11-343
- 11-344
- 11-345
- 11-346
- 11-355
- 11-356
- 11-362
- 11-363
- 11-364
- 11-365
- 11-366

WAIVER AND CONSENT

TO: Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Eight Mile Ranch, LLC
c/o Randall C. Budge, attorney
P.O. Box 1391
201 East Center Street
Pocatello, Idaho 83204-1391

FROM: Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole
12th Floor, 50 East North Temple St.
Salt Lake City, Utah 84150
Salt Lake City, Utah

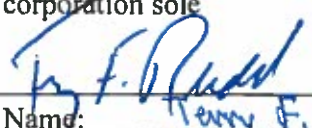
DATE: February 15, 2017

RE: Transfer Application Re: Water Right Nos. 11-363, 11-364, 11-365 and 11-366
Applicant: Eight Mile Ranch, LLC

The Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole ("CPB") hereby waives any right, title, interest or claim in or to Idaho Department of Water Recourses water right nos. 11-363, 11-364, 11-365 and 11-366.

The CPB further consents to the approval of the Application for Transfer of Eight Mile Ranch, LLC for the purpose of removing from the place of use of the referenced water rights certain property in the decreed place of use the property owned by the CPB (originally owned by the Idaho Stake, and the Bannock Stake of the Church of Jesus Christ of Latter-day Saints and later transferred to the CBP) as described in the Deed to the Church of Jesus Christ of Latter-day Saints dated November 16, 1971, a copy of which is attached to the Application.

CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS, a
Utah corporation sole

By  GSC
Print Name: Terry F. Rudd
Title: AUTHORIZED AGENT

Warranty Deed

THIS INDENTURE, Made this 16th day of November,
in the year of our Lord One Thousand Nine Hundred and Seventy-One, between
Guy Harris and Cora C. Harris, husband and wife,
of Grace, County of Caribou, State of Idaho,
the parties of the first part, and The Idaho Stake of the Church of Jesus Christ of Latter-
Day Saints, an Idaho corporation sole, and Bannock Stake of the Church of Jesus
Christ of Latter-day Saints, an Idaho corporation sole,
MXX, County of Caribou, State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
TEN THOUSAND TWO HUNDRED AND NO/100 - - - - - DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties
of the second part, and to its successors and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Bear Lake, State of Idaho, bounded
and more particularly described as follows, to-wit:

Township 10 South, Range 42 East of the Boise Meridian:

Section 20: Beginning at the Southwest corner of said Section 20,
and running
thence North 800 feet;
thence East 460 feet;
thence North 57° East 86.454 feet;
thence North 39°30' East 900 feet;
thence North 66°45' East 1200 feet;
thence North 87°45' East 530 feet, more or less to County Road;
thence South 3°50' East 750 feet along said County Road;
thence West 130 feet, more or less, to Northeast corner of
SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20;
thence South 1320 feet, more or less, to the South Quarter corner
of said Section 20;
thence West 2640 feet, more or less,
to the point of beginning.

Together with the right to use water from a spring located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of
said Section 20, and a pipeline easement for an inch and one-quarter pipe.

PROVIDING, HOWEVER, That if the parties of the second part shall re-sell the
above described premises, the parties of the first part have the first right
and option to purchase the same on the same terms and conditions as said
premises may otherwise be offered to any other bona fide purchaser.

Together with all and singular, the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges therunto incident
unto the said parties of the second part, and to its successors and assigns forever. And the said
parties of the first part, and their heirs the said premises in the quiet and peaceable possession
of the said parties of the second part its successors and assigns against the said parties of the
first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and
seals the day and year first above written.
Signed, Sealed and Delivered in the Presence of

Guy Harris [Seal]
Cora C. Harris [Seal]

[Seal]
[Seal]

81525

WARRANTY DEED

REVENUE STAMPS

For Value Received

JOSEPH H. FOSTER, also known as Hyrum J. Foster, and JANE KATHERINE FOSTER, husband and wife,
the grantors, do hereby grant, bargain, sell and convey unto

WEST POCATELLO STAKE of the CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a corporation sole,
the grantee, the following described premises, in Bear Lake County Idaho, to wit:

East Half of the Southeast Quarter;
Southwest Quarter of the Southeast
Quarter, Section 20, Township 10
South, Range 42 East, Boise Meridian,
Bear Lake County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
its heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee, that they are the owners in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 17, 1969.

Joseph H. Foster
Jane Katherine Foster

STATE OF IDAHO, COUNTY OF Bannock
On this 17th day of Feb., 1969,
before me, a notary public in and for said State, personally
appeared

JOSEPH H. FOSTER, also
known as Hyrum J. Foster
and Jane Katherine Foster,

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Ray L. Wiggins
Notary Public
Residing at Pocatello, Id., Idaho
Comm. Expires June 9, 1971

92513

STATE OF IDAHO
County of Bear Lake
Date March 20, 1969
Time 4:30 p.m.
No. 12-12-12
Book 12-12-12
Betty Ballinger, Deputy
fee .90

Furnished by the POCATELLO Title CO.

STATE OF IDAHO,
County of Caribou.

ss.

On this 29th day of March, in the year 1972, before me
the undersigned, a Notary Public in and for said County and State, personally appeared
Guy Harris and Cora C. Harris, husband and wife,

known to me to

be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Leonard O. Kingsford
Notary Public.

Residence and P. O. Address Soda Springs, Idaho.
My commission expires August 14, 1973.

98085

WARRANTY DEED

Guy Harris and Cora C. Harris,
Husband and wife,

TO

Idaho Stake of the Church of Jesus
Christ of Latter-Day Saints, an
Idaho corporation sole; and
Bannock Stake of the Church of Jesus
Christ of Latter-Day Saints, an
Idaho corporation sole.
Dated November 16, 1972.

STATE OF IDAHO.

County of Bear Lake ss.

I hereby certify that this instrument was filed for
record at the request of
Bear Lake Title Company dba,
at 35 minutes past 3

o'clock P. M., the 29th day
of March, A. D. 1972

in my office and duly recorded in 2806X

agreements, microfilm records

David B. Johnson
Ex-Officio Recorder.

By *Billy Stallone*
Deputy.

Fee, \$ 2.00

SEE, FINCH & SONS, INC., P.O. BOX 1000

INDEXED