



RANDALL C. BUDGE
rcb@racinelaw.net

March 15, 2017

RECEIVED

MAR 15 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

Corey Skinner
Idaho Department of Water Resources
Southern Region Office
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301-5858
Corey.Skinner@idwr.idaho.gov

Re: **Withdrawal of Protest and Application for Transfer No. 79135,
in the name of Rangen, Inc.**

Dear Corey:

The above referenced Application for Transfer No. 79135 and protest thereof is hereby withdrawn by North Snake Ground Water District, Magic Valley Ground Water District and Southwest Irrigation District the Protestants and current owner of the subject water rights. This withdrawal is made because it no longer serves purpose by reason of the recent purchase of the Rangen Hatchery by the Districts and the assignment of the Application for Transfer to the Districts, a copy of which is also enclosed.

Sincerely,

A handwritten signature in blue ink that reads 'Randall C. Budge'.

RANDALL C. BUDGE

RCB:ts

c: Garrick Baxter, Garrick.Baxter@idwr.idaho.gov

RECEIVED

MAR 15 2017

DEPARTMENT OF
WATER RESOURCES

RECEIVED

MAR 20 2017

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR TRANSFER

To change the ownership of an application for transfer

Page 1 of 2 is to be completed by the current transfer applicant. Notarization required.

Page 2 of 2 is to be completed by the new transfer applicant. Notarization not required.

I, RANGEN, INC., hereby assign to
Current Applicant(s)

DISTRICTS/"GRANTEES" ON THE ATTACHED WARRANTY DEED, IN THE % SPECIFIED FOR EACH

New Applicant(s)

of, C/O T.J. BUDGE AND RANDY BUDGE, RACINE OLSON, P.O. BOX 1391

Mailing address

POCATELLO

ID

83204-1391

208-232-6101

City

State

ZIP

Telephone No.

All my right, title, and interest in and to Application for Transfer No. 79135.

Made this 3rd day of MARCH, 2017.

Christopher Rangen
Signature of Current Applicant or Authorized Representative

CHRISTOPHER RANGEN, PRESIDENT
Print Name and Title (if applicable)

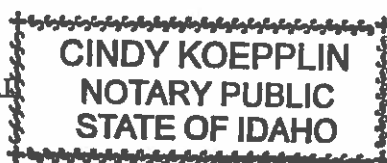
Signature of Current Applicant or Authorized Representative

Print Name and Title (if applicable)

State of Idaho)
County of TWIN FALLS)ss

On this 3rd day of MARCH, 2017, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he/she/they executed the same.

SEAL



Cindy Koepplin
Notary Public

My commission expires: 09-05-2021

RECEIVED

MAR 20 2017

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

ASSIGNMENT OF APPLICATION FOR TRANSFER

Name of New Applicant(s) See Exhibit A, c/o Randy Budge, TJ Budge, Racine Olson Phone 208-232-6101Mailing address: P.O. Box 1391City Pocatello State ID Zip 83204-1391 Email rcb@racinelaw.net ; tjb@racinelaw.net

- ☐ 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. Additional fee(s) required for water right ownership changes; see fee schedule on application for transfer instructions.
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). Additional fee(s) required for water right ownership changes; see fee schedule on application for transfer instructions.
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 RepresentativeName of Representative Randall C. Budge Phone 208-232-6101Mailing 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.

Randy C. Budge
Signature of Applicant or Authorized Representative

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

2/27/17
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

NOTE: Include the appropriate attachments and fee(s) identified above with this assignment form.

EXHIBIT A

New Owners/Claimants:

**North Snake Ground Water District
Magic Valley Ground Water District
Carey Valley Ground Water District
Southwest Irrigation District
American Falls-Aberdeen Ground Water District
Bingham Ground Water District
Bonneville-Jefferson Ground Water District
Madison Ground Water District
Fremont-Madison Irrigation District
Jefferson-Clark Ground Water District**

RESOLUTION

North Snake Ground Water District, Magic Valley Ground Water District, Carey Valley Ground Water District, Southwest Irrigation District, American Falls-Aberdeen Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Madison Ground Water District, Fremont-Madison Irrigation District, and Jefferson-Clark Ground Water District (referred to herein individually as a "District" and collectively as the "Districts") provide this resolution for purposes of closing the transaction under that certain Asset Purchase and Sale Agreement ("Agreement") entered into effective the 30th day of November, 2016 with Rangen, Inc. ("Seller").

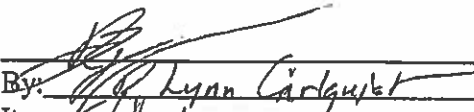
The undersigned officers of the Districts each hereby certify that (a) their respective District is organized and existing under the laws of the State of Idaho; (b) their District has its principal place of business in the State of Idaho and is duly authorized to transact business in the State of Idaho; (c) they are duly-elected and occupy the position within their District set forth beneath their signature below; and (d) the following resolutions were unanimously adopted by their District and are in full force and effect and have not been modified or revoked:

RESOLVED, that this District hereby approves and ratifies the Agreement providing for the purchase of all the business assets of Seller pertaining to the Rangen Fish Hatchery together with all other documents and instruments pertaining thereto; and further

RESOLVED, that this District hereby authorizes attorneys Randall C. Budge or T.J. Budge or any officer of the District to execute and deliver all closing statements and other documents and perform such other acts as may be reasonably necessary to close the transaction provided in the Agreement.

[End of Resolution; Signatures on Following Page]

NORTH SNAKE GROUND WATER DISTRICT

By: 
Its: Chairman

Dated: 1/17/2017

MAGIC VALLEY GROUND WATER DISTRICT

By: 
Its: Chairman
SOUTHWEST IRRIGATION DISTRICT

Dated: 1-17-17

By: _____
Its: _____

Dated: _____

CAREY VALLEY GROUND WATER DISTRICT

By: _____
Its: _____

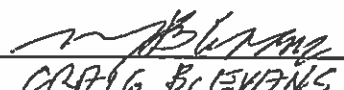
Dated: _____

AMERICAN FALLS-ABERDEEN GROUND WATER DISTRICT

By: 
Its: Chairman

Dated: 1-17-17

BINGHAM GROUND WATER DISTRICT

By: 
Its: Chairman

Dated: 1-17-17

NORTH SNAKE GROUND WATER DISTRICT

By: [Signature]
Its: Chairman

Dated: 1/17/2017

MAGIC VALLEY GROUND WATER DISTRICT

By: [Signature]
Its: Chairman

Dated: 1-17-17

SOUTHWEST IRRIGATION DISTRICT

By: [Signature]
Its: Sec.

Dated: 1-25-17

CAREY VALLEY GROUND WATER DISTRICT

By: _____
Its: _____

Dated: _____

AMERICAN FALLS-ABERDEEN GROUND WATER DISTRICT

By: [Signature]
Its: Chairman

Dated: 1-17-17

BINGHAM GROUND WATER DISTRICT

By: [Signature]
Its: Chairman

Dated: 1-17-17

BONNEVILLE-JEFFERSON GROUND WATER DISTRICT

By: Don W. Atkinson
Its: _____

Dated: 1/17/17

MADISON GROUND WATER DISTRICT

By: Jason Webb
Its: Chairman

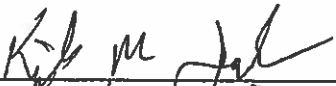
Dated: 1-17-17

FREMONT-MADISON IRRIGATION DISTRICT

By: Ps/ (Attache) Jeff Raybould
Its: Jeff Raybould
Chairman

Dated: 1-17-17

JEFFERSON-CLARK GROUND WATER DISTRICT


By: Kirk M. Jacobs
Its: Chairman

Dated: 1/12/17

BINGHAM GROUND WATER DISTRICT

By:
Its:

Dated:

BONNEVILLE-JEFFERSON GROUND WATER DISTRICT

By:
Its:

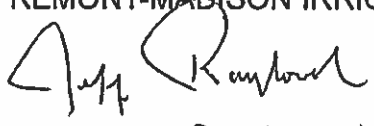
Dated:

MADISON GROUND WATER DISTRICT

By:
Its:

Dated:

FREMONT-MADISON IRRIGATION DISTRICT


By: Jeff Raybould
Its: chairman

Dated: 1-17-17

NORTH SNAKE GROUND WATER DISTRICT

By:
Its:

Dated:

MAGIC VALLEY GROUND WATER DISTRICT

By:
Its:

Dated:

SOUTHWEST IRRIGATION DISTRICT

By:
Its:

Dated:

CAREY VALLEY GROUND WATER DISTRICT

By:
Its:

Lita Hansen
Chairman

Dated: 1/23/17

AMERICAN FALLS-ABERDEEN GROUND WATER DISTRICT

By:
Its:

Dated:

BINGHAM GROUND WATER DISTRICT

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints the law firm of RACINE OLSON NYE BUDGE & BAILEY, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, my/our 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 my/our behalf.

DATED this 2nd day of May, 2014.

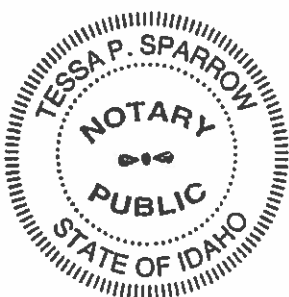
IDAHO GROUND WATER APPROPRIATORS, INC.
(IGWA) acting for and on behalf of its Ground
Water District members

By: [Signature]
Name: Tim Deeg
Title: President

STATE OF IDAHO)
County of Bannock)
:SS

On this 2nd day of May, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Tim Deeg, known or identified to me to be the President of the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, ID
Commission expires: 10/05/2015

WHEN RECORDED MAIL TO:

Randall C. Budge
Racine Olson Nye Budge & Bailey, Chartered
P.O. Box 1391
Pocatello, Idaho 83204-1391

Instrument # 257512
GOODING COUNTY, GOODING, IDAHO
02-15-2017 13:02:03 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE OILL Fee: \$19.00
Ex-Officio Recorder Deputy: DAL
Electronically Recorded by Simplifile

WARRANTY DEED

FOR VALUE RECEIVED, Rangen, Inc., an Idaho corporation ("Grantor"), does hereby grant, sell and convey unto North Snake Ground Water District, an undivided 17.49% interest, Magic Valley Ground Water District, an undivided 22.26% interest, Carey Valley Ground Water District, an undivided 0.55% interest, Southwest Irrigation District, an undivided 14.70% interest, American Falls-Aberdeen Ground Water District, an undivided 9.49% interest, Bingham Ground Water District, an undivided 10.67% interest, Bonneville-Jefferson Ground Water District, an undivided 5.05% interest, Madison Ground Water District, an undivided 3.85% interest, Fremont-Madison Irrigation District, an undivided 2.0% interest, and Jefferson-Clark Ground Water District, an undivided 13.94% interest, whose address is in care of Racine Olson Nye Budge & Bailey, Chartered, P.O. Box 1391, Pocatello, Idaho 83204-1391 (hereinafter collectively ("Grantees")) and its successors and assigns forever, their collective and undivided interest of the real property, improvements and water rights ("Property") located in Gooding County, Idaho, to-wit:

SEE EXHIBIT "A-1" AND "A-2" ATTACHED HERETO AND
INCORPORATED BY REFERENCE

TOGETHER WITH AND INCLUDING any and all fixtures and improvements, any and all appurtenances, tenements, and hereditaments, and any and all rents, issues, and profits that relate or otherwise pertain to the foregoing parcels of real property.

TO HAVE AND TO HOLD the Property unto the Grantees and their successors and assigns forever.

Grantor does hereby covenant with and warrant Grantees that Grantor is lawfully seized in fee simple of the Property, has good right and lawful authority to sell and convey the Property, and that Grantor fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

SUBJECT TO easements, right of ways, boundary line agreements, other agreements of public record and all zoning, building and use laws or restrictions.

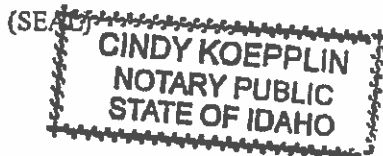
IN WITNESS WHEREOF, the Grantors hereunto set their hands this 15th day of February, 2017.

RANGEN, INC.

By *Christopher Rangen*
Its: *President*
Sale of Rangen Research Hatchery

STATE OF IDAHO)
)
County of *Twin Falls*)

On this 15th day of February, 2017, before me a Notary Public for the State of Idaho, personally appeared *Christopher Rangen*, known or identified to me, to be the *President*, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Cindy Koepplin
NOTARY PUBLIC FOR IDAHO
Residing at: *Filer Idaho*
My Commission Expires: *09-05-2021*

EXHIBIT A-1

Real property in the County of Gooding, State of Idaho, described as follows:

A PARCEL OF LAND LOCATED IN A PORTION OF THE SOUTH ½ OF THE NORTHEAST ¼ OF SECTION 31, AND A PORTION OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼, AND A PORTION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 32, TOWNSHIP 7 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, GOODING COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31, MARKED BY A 5/8 INCH REBAR WITH 1.5 INCH ALUMINUM CAP, SEE CORNER PERPETUATION INST. NO. 124052; THENCE SOUTH 00°21'32" WEST, ALONG THE EAST BOUNDARY LINE OF SAID SECTION 31, (BASIS OF BEARING PER CENTRAL MERIDIAN OF CENTRAL ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 1315.44 FEET TO THE NORTH 1/16 CORNER ON THE EAST LINE OF SAID SECTION 31, BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°39'53" EAST, ALONG THE NORTH 1/16 LINE OF SECTION 32, A DISTANCE OF 1329.53 FEET TO THE NORTHWEST 1/16 CORNER OF SAID SECTION 32; THENCE SOUTH 00°21'22" WEST, ALONG THE WEST 1/16 LINE OF SAID SECTION 32, A DISTANCE OF 1317.62 FEET TO THE CENTER-WEST 1/16 CORNER OF SAID SECTION 32; THENCE SOUTH 00°21'24" WEST, ALONG THE WEST 1/16 LINE OF SAID SECTION 32, A DISTANCE OF 105.29 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 138541;

THENCE NORTH 76°53'09" WEST, ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 2144.61 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 251246;

THENCE NORTH 17°06'33" EAST, ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 283.50 FEET TO THE APPROXIMATE CENTERLINE OF BILLINGSLEY CREEK;

THENCE ALONG THE APPROXIMATE CENTERLINE OF BILLINGSLEY CREEK FOR THE NEXT FIVE (5) COURSES:

1. NORTH 78°31'01" WEST A DISTANCE OF 192.79 FEET;

2. NORTH 62°27'57" WEST A DISTANCE OF 140.06 FEET;

3. NORTH 46°55'13" WEST A DISTANCE OF 158.11 FEET;

4. NORTH 50°33'04" WEST A DISTANCE OF 479.57 FEET;

5. NORTH 61°20'38" WEST A DISTANCE OF 76.50 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF S 1175 E BEING A COUNTY ROAD;

THENCE ALONG THE EASTERLY RIGHT OF WAY LINE S 1175 E FOR A THE NEXT TWO (2) COURSES:

1. NORTH 34°21'16" WEST A DISTANCE OF 99.80 FEET TO A POINT OF TANGENCY OF A 220.50 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTH 55°38'44" EAST;

2. FOLLOWING SAID CURVE IN A CLOCKWISE DIRECTION FOR AN ARC LENGTH OF 67.82 FEET, THROUGH A CENTRAL ANGLE OF 17°37'19", (THE CHORD OF SAID CURVE BEARS NORTH 25°32'37" WEST A DISTANCE OF 67.55 FEET), TO A POINT ON THE NORTH 1/16 LINE OF SECTION 31;

THENCE SOUTH 89°12'14" EAST, ALONG THE NORTH 1/16 LINE OF SAID SECTION 31, A DISTANCE OF 1636.28 FEET TO THE POINT OF BEGINNING.

EXHIBIT A-2

Rangen Water Rights

Options	Water Right	Acres	Precedence	County	Application	State	Status	Priority Date	Flow (cfs)	Source	Water Use	Owner
Details	Water	36	134 B			Decreed	Active	10/09/1884	0.09	MARTIN-CURREN	DOMESTIC	RANGEN INC
More Options												
Details	Water	36	135 A			Decreed	Active	4/3/1908	0.03	MARTIN-CURREN	DOMESTIC	RANGEN INC
More Options												
Details	Water	36	2551			Decreed	Active	7/13/1962	48.54	MARTIN-CURREN	DOMESTIC, FISH	RANGEN INC
More Options												
Details	Water	36	7694			Decreed	Active	4/12/1977	26	MARTIN-CURREN	FISH PROPAGATION	RANGEN INC
More Options												
Details	Water	36	8048			Decreed	Active	12/21/1981	0.41	GROUND WATER	IRRIGATION	RANGEN INC
More Options												
Details	Water	36	15501			Decreed	Active	7/1/1957	1.46	MARTIN-CURREN	FISH PROPAGATION	RANGEN INC
More Options												
Details	Water	36	17002				Active	2/3/2014	21.8	BILLINGSLEY CREEK	FISH PROPAGATION	RANGEN INC
More Options												
Details	WR	36	2551		79135		Active	7/13/1962	48.54	MARTIN-CURREN	DOMESTIC, FISH	RANGEN INC
More Options												
Details	WR	36	7694		79135		Active	4/12/1977	26	MARTIN-CURREN	FISH PROPAGATION	RANGEN INC
More Options												
Details	WR	36	15501		79135		Active	7/1/1957	1.46	MARTIN-CURREN	FISH PROPAGATION	RANGEN INC
More Options												