

RECEIVED

JAN 21 2016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80054WATER RESOURCES
WESTERN REGIONMINIMUM 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) Cada LPCheck 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

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Cada LP Phone 208-455-5050

Mailing address 23250 Cada Ln, Caldwell, ID 83607 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 SPF Water Engineering Phone 208-383-4140

Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.com

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

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


Signature of Applicant or Authorized Representative


Print Name and Title if applicable

1/18/16
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☒ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☐ Change place of use
☐ Other _____
- 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**.
The nature of use is proposed for change from irrigation storage to aesthetic and recreation storage. Irrigation from storage will no longer occur.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	67-7281	75 afa	Aesth/Rec Storage	1/1 to 12/31	Unnamed St., Tennison Cr.
☐ ☐		2.7 afa	Stockwater Storage	1/1 to 12/31	
☐ ☐		2.7 afa	Stockwater fr Storage	1/1 to 12/31	
☒ ☐	67-7292	90 afa	Aesth/Rec Storage	1/1 to 12/31	Unnamed St., Tennison Cr.
☐ ☐		0.9 cfs	Diversion to Storage	12/1 to 5/1	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.9 cfs and/or 165 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.9 cubic feet per second and/or 165 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	2W	1						S	S	S	S	S		S		S	S		
								Lt 4											
		2	S	S	S	S								S					
			X	X	X	X													
			Lt 1	Lt 2															
Total Acres (for irrigation use)																			

S = Stockwater from Storage

X = Stockwater Storage, Aesthetic Storage & Recreation Storage

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:
No changes to the existing diversion system are being proposed. Measuring device and lockable controlling works will be accommodated upon Department request.
- b. Who owns the property at the point(s) of diversion? Applicants
 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:
Irrigation will cease on the property.
- 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:
Overlapping natural flow right 67-2365 is being submitted to the water bank on the accompanying lease application.
- 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 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

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

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

Right Number: 67-7281

- [illegible]

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

[illegible]

Total Acres (for irrigation use)	126.6
---	--------------

X = Irrigation Storage

80 & 54

82054.

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 right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**. **Less water will be consumed because irrigation will cease.**

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:

(The page contains faint horizontal lines, suggesting it was part of a ruled notebook or document.)

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 9 attachments. 16 pages TOTAL.
 Received by QJ Date 1/21/16 Preliminary check by RS Date 11-2-16
 Fee paid \$580.00 Date 1/21/16 Received by QJ Receipt # W043818
 Add'l fee paid \$250 Date 2-10-16 Received by WETZEL Receipt # W043881

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

* ADDITIONAL FEE IS PLACING NATURE OF USE Page 7

Page _____ of _____

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

Current Water Right No.: 67-7281

Current Owner: JODY M CADA
D WAYNE CADA

Priority Date: 7/23/1976

Origin: Water Right

Status: Active

Basis: Decreed

Source

UNNAMED STREAM

Tributary

TENNISON CREEK

<u>Beneficial Use</u>	<u>From To</u>
STOCKWATER FROM STORAGE	01/01 to 12/31
STOCKWATER STORAGE	01/01 to 12/31
IRRIGATION FROM STORAGE	03/15 to 10/31
IRRIGATION STORAGE	01/01 to 12/31
<u>Total Diversion</u>	

<u>Diversion Rate</u>	<u>Annual Volume</u>
	2.7 AF
	2.7 AF
	75 AF
	75 AF
	75 AF

Location of Point(s) of Diversion

UNNAMED STREAM
WASHINGTON County

L2(SE1/4NW1/4NE1/4) Sec. 2. Twp 11N. Rge 02W B.M.

Place of Use

19-8

80654

Page _____ of _____

STOCKWATER FROM STORAGE Within WASHINGTON County

T11N R02W S1	Lot 4	NWNW	T11N R02W S1	SWNW	
T11N R02W S1		SENW	T11N R02W S1	NESW	
T11N R02W S1		NWSW	T11N R02W S1	SESW	
T11N R02W S1		NWSE	T11N R02W S1	SWSE	
T11N R02W S2	Lot 1	NENE	T11N R02W S2	Lot 2	NWNE
T11N R02W S2		SWNE	T11N R02W S2	SENE	
T11N R02W S2		NESE			

STOCKWATER STORAGE Within WASHINGTON County

T11N R02W S2	Lot 1	NENE	T11N R02W S2	Lot 2	NWNE
T11N R02W S2		SWNE	T11N R02W S2	SENE	

IRRIGATION FROM STORAGE Within WASHINGTON County

T11N R02W S1	Lot 4	NWNW	0.10	T11N R02W S1	SWNW	32.00	
T11N R02W S1		SENW	3.20	T11N R02W S1	NESW	16.00	
T11N R02W S1		NWSW	16.00	T11N R02W S1	SESW	7.70	
T11N R02W S1		NWSE	1.70	T11N R02W S1	SWSE	2.60	
T11N R02W S2	Lot 1	NENE	2.80	T11N R02W S2	Lot 2	NWNE	1.50
T11N R02W S2		SWNE	8.00	T11N R02W S2	SENE	34.00	
T11N R02W S2		NESE	1.00				

Total Acres: 126.6

IRRIGATION STORAGE Within WASHINGTON County

T11N R02W S2	Lot 1	NENE	T11N R02W S2	Lot 2	NWNE
T11N R02W S2		SWNE	T11N R02W S2	SENE	

Total Acres: 88

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. L11 The storage of water is contingent upon continued certification by IDWR under the dam safety provisions of the Idaho Code, authorizing storage.
3. E62 This right when combined with Right No. 67-2365, and 67-7292 shall provide no more than 0.02 cfs per acre, nor more than 4.0 af/acre.
4. USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY A WATERMASTER WITH RESPONSIBILITY FOR THE DISTRIBUTION OF WATER AMONG APPROPRIATORS WITHIN STATE WATER DISTRICT NO. 67.
5. E53 Right Nos. 67-7281 and 67-7292 are limited to a total combined annual diversion volume of 90.0 AF.
6. F05 Right No. 67-2365 is also diverted through point of diversion described above.
7. MAXIMUM DIVERSION VOLUME SET BY THE LICENSE IS 75.0 AF.
8. E55 Right Nos. 67-2365, 67-7292, and 67-7281 are limited to the irrigation of a combined total of 126.6 acres in a single irrigation season.

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

Current Water Right No.: 67-7292

Current Owner: JODY M CADA
D WAYNE CADA

Priority Date: 10/18/1976

Origin: Water Right

Status: Active

Basis: Decreed

Source

UNNAMED STREAM

Tributary

TENNISON CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31		90 AF
DIVERSION TO STORAGE	12/01 to 05/01	0.9 CFS	
IRRIGATION FROM STORAGE	04/01 to 10/31		90 AF
<u>Total Diversion</u>		0.9 CFS	90 AF

Location of Point(s) of Diversion

UNNAMED STREAM

NE1/4NE1/4SW1/4

Sec. 1, Twp 11N, Rge 02W B.M.

WASHINGTON County

Place of Use

IRRIGATION STORAGE Within WASHINGTON County

T11N R02W S2	Lot 1	NENE	T11N R02W S2	Lot 2	NWNE
T11N R02W S2		SWNE	T11N R02W S2		SENE

IRRIGATION FROM STORAGE Within WASHINGTON County

T11N R02W S1	Lot 4	NWNW	0.10	T11N R02W S1	Lot 2	SWNW	32.00
T11N R02W S1		SENE	3.20	T11N R02W S1		NESW	16.00
T11N R02W S1		NWSW	16.00	T11N R02W S1		SESW	7.70
T11N R02W S1		NWSE	1.70	T11N R02W S1		SWSE	2.60
T11N R02W S2	Lot 1	NENE	2.80	T11N R02W S2	Lot 2	NWNE	1.50
T11N R02W S2		SWNE	8.00	T11N R02W S2		SENE	34.00
T11N R02W S2		NESE	1.00				

Total Acres: 126.6

Place of Use: DIVERSION TO STORAGE same as IRRIGATION STORAGE

Page _____ of _____

Conditions of Approval:

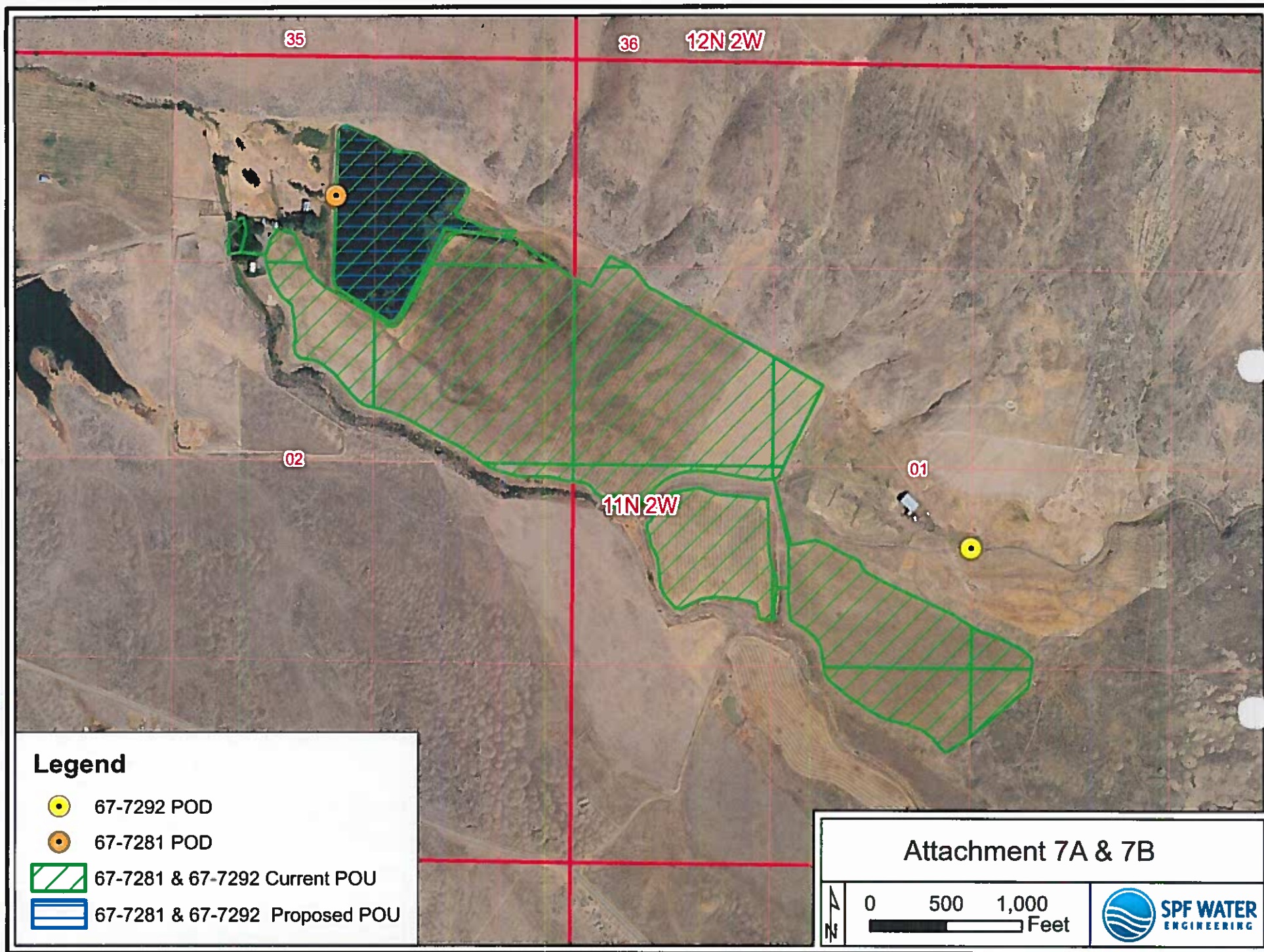
1. E55 Right Nos. 67-2365, 67-7281 and 67-7292 are limited to the irrigation of a combined total of 126.6 acres in a single irrigation season.
2. E62 This right when combined with Right No. 67-2365, and 67-7281 shall provide no more than .02 cfs per acre, nor more than 4.0 af/acre..
3. K06 This right is limited to the irrigation of 126.6 acres within the place of use described above in a single irrigation season.
4. USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY A WATERMASTER WITH RESPONSIBILITY FOR THE DISTRIBUTION OF WATER AMONG APPROPRIATORS WITHIN STATE WATER DISTRICT NO. 67.
5. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
6. S47 The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
7. WATER RIGHTS NO 67-7281 AND 67-7292 WHEN COMBINED SHALL NOT EXCEED A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 90.0 AF.
8. L11 The storage of water is contingent upon continued certification by IDWR under the dam safety provisions of the Idaho Code, authorizing storage.
9. K02 This right is based upon an enlargement of Right No. 67-7281 pursuant to Section 42-1426, Idaho Code.
10. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 11/17/2008

pg. 11

80654

pg. 12
8/20/24



FROM :

FAX NO. : 2084555050

Jan. 06 2016 04:55PM P1

222035

Instrument # 222035
STATE OF IDAHO, COUNTY OF WASHINGTON
1-24-2013 08:40:00 No. of Pages: 3
Recorded for : R BRAD MASONELL
BETTY J THOMAS
Ex-Officio Recorder Deputy
Index to: DEED
Fee 18.00
[Signature]

AMENDED QUIT-CLAIM DEED

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, D. Wayne Cada and Jody M. Cada, Grantors, do hereby quitclaim unto the Cada Limited Partnership, an Idaho limited Partnership, the Grantee, all of Grantors' right, title, and interest in, over, upon, and to the following described premises (hereinafter sometimes referred to as Grantee real property), all located in Washington County, Idaho, to wit:

See Attached Exhibit "A"

DATED this 21st day of January, 2013.

[Signature]
D. Wayne Cada

[Signature]
Jody M. Cada

FROM :

FAX NO. : 2084555050

Jan. 06 2016 04:55PM P2

222035

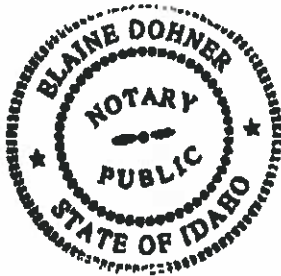
NOTARY

STATE OF IDAHO)

County of Blaine)

On the 2/5th day of January, 2013, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared D. Wayne Cada and Jody M. Cada, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Blaine Dohner
Notary Public for Idaho
Residing in: Caldwell, ID
Comm. Expires: 6-24-14

222035

Legal Description

IN TOWNSHIP 11 NORTH, RANGE 1 WEST OF THE BOISE MERIDIAN:

- Section 5: S $\frac{1}{2}$, S $\frac{1}{2}$ N $\frac{1}{2}$
 Section 6: S $\frac{1}{2}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 7: N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 8: NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
 Section 9: W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$
 Section 16: ALL
 Section 18: N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
 Section 19: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$

IN TOWNSHIP 11 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN:

- Section 1: ALL
 Section 2: N $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$,
 All of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying northerly of the centerline of a County Road known as Big Flat Road,
 All that portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying northerly of a County Road known as Big Flat Road and westerly of an existing road known as Cada Road (formerly known as Land Road);
 Section 3: All that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying northerly of a County Road known as Big Flat Road and easterly of the center line of South Crane Creek as it now exists;
 Section 11: E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 12: ALL
 Section 13: N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 14: SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 15: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
 Section 22: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 23: W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
 Section 24: S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 25: W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
 Section 26: N $\frac{1}{2}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
 Section 35: N $\frac{1}{2}$ NE $\frac{1}{4}$

IN TOWNSHIP 12 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN:

- Section 35: S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$, lying easterly of the center line of South Crane Creek as it now exists.

pg 15

800654



230



CERTIFICATE OF LIMITED PARTNERSHIP

(Instructions on back of application)

FILED EFFECTIVE

2012 DEC 31 PM 4:07

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited partnership:

Cada Limited Partnership

2. The mailing address of the principal office:

23250 Cada Lane, Caldwell, Idaho 83607

3. The name and business address of the registered agent:

D. Wayne Cada 23250 Cada Lane, Caldwell, Idaho 83607

4. The name and mailing address of each general partner:

NameAddress

Cada Ranch, LLC

23250 Cada Lane, Caldwell, Idaho 83607

(If more space is needed, continue in item 6.)

5. This limited partnership [☒ is not] [☐ is] a limited liability limited partnership.

(If you check that your partnership is a limited liability limited partnership, your partnership name must end in LLP or Limited Liability Limited Partnership.)

6. Other matters (optional):

7. Signature of all general partners:

Cada Ranch, LLC

Typed Name
by D. Wayne Cada, Manager

Typed Name

Typed Name

Typed Name

Secretary of State Use only

 IDAHO SECRETARY OF STATE
 12/31/2012 05:00
 CR: 16100 CT: 34764 BH: 1353615
 1 @ 100.00 = 100.00 LTD PTR DN # 2

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pg. 16.

 Downloaded from the
 Secretary of State
 Web Form



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 30, 2017

CADA LP
23250 CADA LN
CALDWELL, ID 83607

RE: Transfer No. 80655
Water Right No(s). 67-7333
Transfer No. 80654
Water Right No(s). 67-7281, 67-7292

Dear Applicant(s):

The Department of Water Resources has received your water right transfer applications. Please refer to the transfer numbers referenced above in all future correspondence regarding these transfers.

Legal notices of each application has been prepared and is scheduled for publication in the WEISER SIGNAL on 4/5/2017 and 4/12/2017. Protests to these applications may be submitted for a period ending ten (10) days after the second publication.

If either application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If either application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Rachel Neely
Administrative Assistant

CC:
SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE, ID 83706

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, March 30, 2017 9:47 AM
To: 'Sarah Imada'
Subject: Washington Legal Ads
Attachments: Washington Cover Letter.docx; Washington Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 4/5/2017 & 4/12/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

March 30, 2017

LEGAL NOTICE DEPARTMENT
WEISER SIGNAL
PO BOX 709
WEISER, ID 83672

RE: Application for Transfer No. 80655
Application for Transfer No. 80654

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 4/24/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80655**

CADA LP, 23250 CADA LN, CALDWELL, ID 83607; has filed Application No. 80655 for changes to the following water rights within WASHINGTON County(s): Right No(s). 67-7333. The purpose of this transfer is to change irrigation storage and irrigation from storage in right 67-7333 to aesthetic storage and recreation storage. A point of diversion change is also proposed to identify the diversion location that has historically been used. A rate of 1.0 cfs and a volume of 68.0 af will be affected by the change. Aesthetic storage and recreation storage will only occur in the SENW of S2, 11N, 2W; the point of diversion will be located in the NWSW of S1, 11N, 2W. The proposal lies approximately one half mile north of Big Flat Rd between S Crane Rd and Riley Butte Rd in Midvale Idaho.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80654**

CADA LP, 23250 CADA LN, CALDWELL, ID 83607; has filed Application No. 80654 for changes to the following water rights within WASHINGTON County(s): Right No(s). 67-7281, 67-7292; to see a full description of these rights and the proposed transfer. The purpose of this transfer is to change irrigation storage and irrigation from storage in rights 67-7281 and 67-7292 to aesthetic storage and recreation storage. A rate of 0.9 cfs and a volume of 90.0 af will be affected by the change. Aesthetic storage and recreation storage will only occur in the northeast quarter of S2, 11N, 2W. The proposal lies approximately one half mile north of Big Flat Rd between S Crane Rd and Riley Butte Rd in Midvale Idaho.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed transfer(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 4/24/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/5/2017 and 4/12/2017

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, March 30, 2017 1:12 PM
To: 'Brandi Horton-Bonner'
Subject: Applications for Transfer Nos. 80655 & 80654
Attachments: Watermaster Recommendation Form_F.pdf; Application for Transfer No. 80654.pdf; Application for Transfer No. 80655.pdf

March 30, 2017

BRANDI BONNER
WATER DISTRICT #67
2297 SNAPP LN
MIDVALE ID 83645

RE: Applications for Transfer Nos. 80655 & 80654

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application(s). A copy of the application(s) is enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of March 30, 2017

If you desire to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline..

IDWR will assume you do not object to this application(s) if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

MEMORANDUM

TO: Transfer No. 80654
FROM: Rachel Sommer
DATE: January 4, 2017
RE: Evaluation of Application

Summary of Application Proposal

The following proposal is to be met following a transfer approval in the name of Cada LP. The purpose of this transfer is to change irrigation storage and irrigation from storage in rights 67-7281 and 67-7292 to aesthetic storage and recreation storage. The application state a rate of 0.9 cfs and a volume of 165.0 af will be affected by the change, however, the rights within the transfer are limited to 90.0 af when combined, therefore the Department will be inclined to approve a rate of 0.9 cfs and a volume of 90.0 af.

Location of Application Proposal

The proposal lies approximately one half mile north of Big Flat Rd between S Crane Rd and Riley Butte Rd in Midvale Idaho.

Summary of Information Submitted

Authority to File:

The property, involved water rights, and the associated water rights within this transfer reflect ownership of Cada LP.

Water Right Validity:

The rights within this transfer were decreed in the SRBA as follows:
67-7281 and 67-7292 were decreed on 11/17/2008.

Rights presumed valid; beneficial use confirmed via imagery from 2015 aerial imagery.

Historical Beneficial Use:

The proposed beneficial uses for this transfer are comparable and historic consumptive uses will be reduced considering the applicants will no longer be irrigating from storage.

67-7281 - The historical beneficial use for right 67-7281 has been 2.7 af for stockwater storage and stockwater from storage, and 75.0 af for irrigation storage and irrigation from storage for 88 acres.

67-7292 - The historical beneficial use for right 67-7292 has been 0.9 cfs for diversion to storage, and 90.0 af for irrigation storage and irrigation from storage for 126.6 acres. This transfer proposes to replace the irrigation components from the rights with aesthetic and recreation storage.

Injury to Other Water Rights:

No injury to other water rights should occur through this transfer as long as the right holder abides by the amount of water and combined use limitations for each right in this transfer.

Combined use limitations for irrigation purposes are listed on rights 67-7281, 67-7292, and 67-2365. Because rights 67-7281 and 7292 will no longer authorize irrigation from storage, it is unnecessary to have conditions limiting irrigation amounts between the rights; limitations and/or conditions will be modified or removed from the rights.

Enlargement of Use:

No enlargement should occur under the proposed transfer application. The application proposes to change the nature of use of irrigation storage and irrigation from storage to aesthetic storage and recreation storage. No proposal is being sought to change any other elements under the rights within this transfer. Enlargement is not a concern if action is taken to ensure existing combined use limitations prior to the transfer filing are maintained on any transfer approval issued.

Historically refills beyond the initial fill were not accounted for under the rights, 90.0 af is the capacity of the existing reservoir. To ensure enlargements will not occur, IDWR will add condition(s) limiting the rights authorizing a one-time fill of 90.0 af for the 17.0 acre reservoir; seepage and evaporation will not be covered under a transfer approval.

Rights 67-7281 and 67-7292 are storage rights that irrigate the same 126.6 acres of land as right 67-2365. I.C. 42-222(1) states a transfer of stored water (67-7281 and 67-7292) does not constitute an enlargement of the original right so long as other water rights are not injured.

Overlapping POU/POD:

POU overlap – The irrigation component of right 67-2365 (surface water) overlaps with rights 67-7281 and 67-7292. This overlap is not a concern, it will be removed if the transfer is approved because irrigation from storage will no longer occur for rights 67-7281 and 67-7292.

POD overlap – Right 67-2365 diverts water from the same POD as right 67-7281 in this transfer though the rights divert water to separate places of use.

Associated Rights:

The rights involved in this transfer, 67-7281 and 67-7292, along with associated right, 67-2365, have limiting conditions for the irrigation element of each right. Because this transfer proposes to remove/change the irrigation element(s) from the rights involved in this transfer, 67-2365 will be added as an associated right so the Department may modify conditions that will no longer apply to the rights.

Local Public Interest:

It is within the local public interest to allow property owners to change their right(s) to reflect the beneficial uses that are actually occurring and are within the law.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Summary of Application Approval / Denial

The application is consistent with criteria of I. C. § 42-222 and should be processed. Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.



SPF WATER
ENGINEERING

February 8, 2016

RECEIVED

FEB 10 2016

**WATER RESOURCES
WESTERN REGION**

Nick Van Dyke
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Additional Transfer fees

Dear Nick,

Per your request, enclosed on behalf of Cada LP, is check No. 3369 for \$500 (\$250/application) to cover the additional transfer fee the Department is now charging when a change in nature of use is proposed.

Please let me know if you have any further questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Wayne Cada

Enclosures

SPF file number: 1239.0010



SPF WATER
ENGINEERING

January 18, 2016

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

RECEIVED

JAN 21 2016

**WATER RESOURCES
WESTERN REGION**

Subject: *Change in Ownership (13 water rights)*
Application for Transfer (67-7281, 67-7292)
Application for Transfer (67-7333)
Application to Lease Water Right (67-2365)

Dear Angie,

Enclosed on behalf of Cada LP are the following:

1. Notice of Change in Water Right Ownership of 13 water rights. The filing fee for the notice is \$325.
2. Application for Transfer proposing changing the nature of use from irrigation storage and from storage to aesthetic/recreation storage on water rights 67-7281 and 67-7292. Filing fee for this transfer is \$580. The fee does not include changing ownership of these rights since they are included on the notice described above.
3. Application for Transfer proposing changing the nature of use from irrigation storage and from storage to aesthetic/recreation storage on water right 67-7333. Filing fee for this transfer is \$500. The fee does not include changing ownership of this right since it is included on the notice described above.
4. Application to Lease Water Right 67-2365 to the water bank. Filing fee for this application is \$250. The fee does not include changing ownership of this right since it is included on the notice described above.

Check No. 2486 for \$1,655 is enclosed for the filing fees. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Wayne Cada

Enclosures
SPF file number: 1239.0010