

DEC 14 2016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81324

DEPT OF WATER RESOURCES
SOUTHERN REGION**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) RED ROCK FARMS LLC**Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.****Yes N/A** *Means the item is always required and must be included with the application.

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant RED ROCK FARMS LLC Phone (208) 645-2361
Mailing Address 2038 S HWY 81, MALTA ID 83342 Email _____

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

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

☒ No Representative

Name of Representative _____ Phone _____
Mailing Address _____ Email _____

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

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

Posanne Rex Posanne Rex U.P. 12-14-2016
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-2444	Yes	Yes	Yes	No	No	No

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2

Transfer 2 acres to adjacent property to fulfill sales agreement with new property owners.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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

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

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-13782	0.037 cfs	8.0 af	N/A	2.0	43-2444	4.880 cfs	1044.0 af	N/A	261.0

**COMBINED
TOTALS**

0.037 cfs 8.0 af N/A 2.0 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 0.037 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

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

4. Place of Use:

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

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 43-13782

(Original Water Right No. 43-2444)

Current Water Right Owner

MATTHEW SHULZ
2048 E 850 S
DECLO, ID 83323

ARLENE SHULZ
2048 E 850 S
DECLO, ID 83323

Priority Date: 5/10/1956

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.037 CFS	8.0 AFA	
Total Diversion			0.037 CFS	8.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SENE

Sec. 7 Twp 14S Rge 27E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	27E	7				2.0													2.0

POU Total Acres: 2.0

**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
System will be Developed; IDWR requirements will be met.

b. Who owns the property at the point(s) of diversion
Matthew & Arlene Shulz

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Letter of Consent and Quitclaim provided.

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ If Yes, ☐
Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

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

d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Two Acres will be dried up.

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

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

Yes	No
☐	☒
☐	☒
☐	☒
☐	☒

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

If yes, describe:

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it Attachment #7b. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

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

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

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

[illegible]

Transfer Contains 9 pages and attachments.
Received By Date 12-14-2016 Prelim. Check By Date
Fee Paid \$300 - Date 12-14-2016 Received By DM Receipt # 5035847
Add'l Fee Paid Date Received By Receipt #

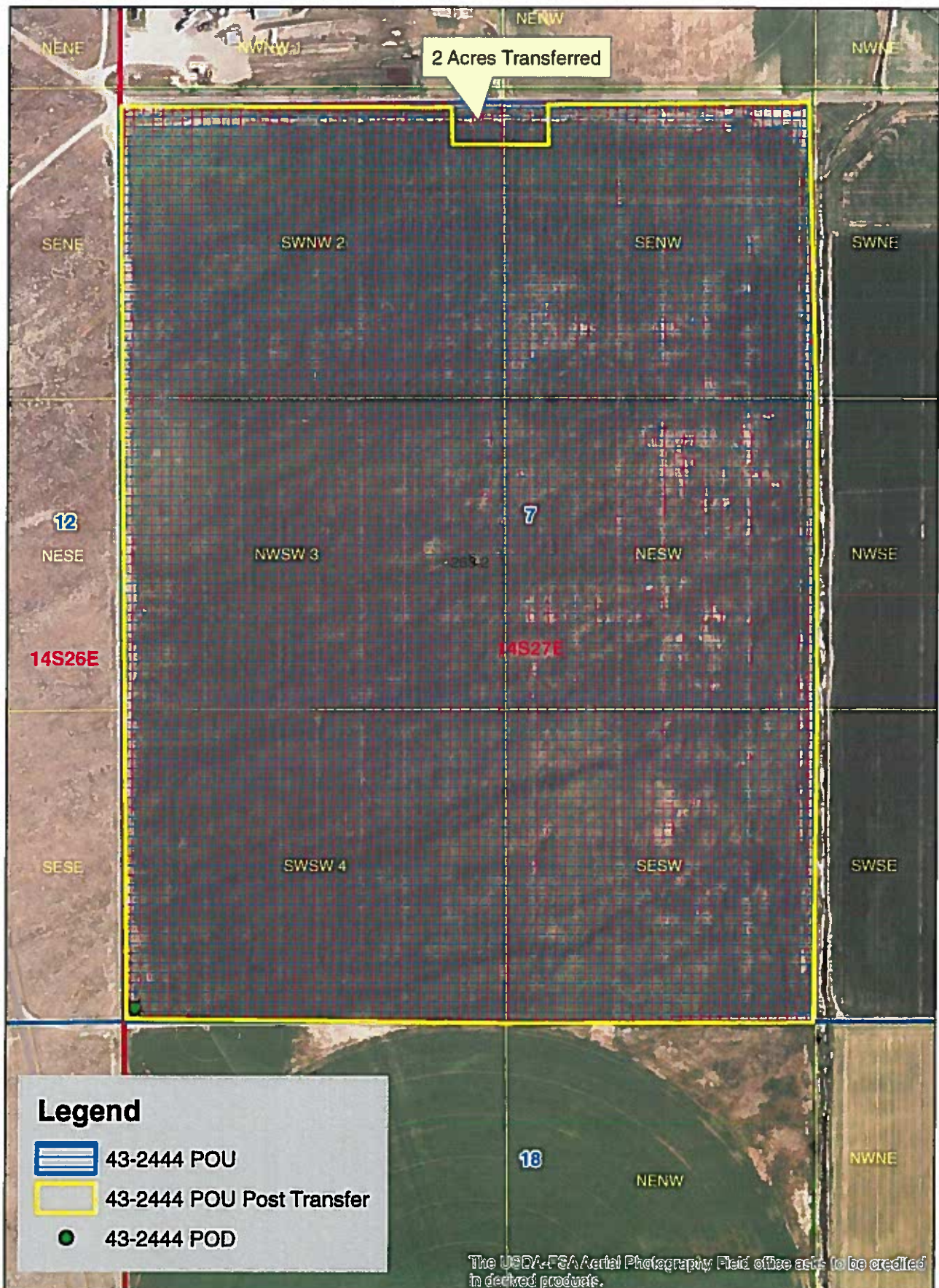
No. W 107536		Due no later than Oct 31, 2015		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Annual Report Form		JOSEPH L MORTON III 132 SW 5TH AVE STE 150 MERIDIAN ID 83642			
		1. Mailing Address: Correct in this box if needed. RED ROCK FARMS, LLC ROSANNE REX 2038 S HWY 81 MALTA ID 83342		3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.							
Office Held	Name	Street or PO Address	City	State	Country	Postal Code	
MANAGER	PETER J GRUSH	2025 S HWY 81	MALTA	ID	USA	83342	
MANAGER	SYLVIA T GRUSH	2025 S HWY 81	MALTA	ID	USA	83342	
MANAGER	ROSANNE REX	2038 S HWY 81	MALTA	ID	USA	83342	
5. Organized Under the Laws of: NV W 107536		6. Annual Report must be signed.* Signature: Rosanne Rex Name (type or print): Rosanne Rex				Date: 08/17/2015 Title: Vice President	
Processed 08/17/2015		* Electronically provided signatures are accepted as original signatures.					

Attachment 7A: Proposed POU & POD



TRANSFER 81324

Attachment 7B



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

TRANSFER 81324

QUITCLAIM DEED

For No Consideration

Red Rock Farms, LLC, a Nevada limited liability company

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

Matthew Shulz and Arlene Shulz, husband and wife
ADDRESS: 2048 East 850 South
Declo, ID 83323

Hereinafter called the grantee, the following described Idaho Department of Water Right Number to-wit:

The proportional flow rate of 0.037 cfs and the acre feet of 8.0 AF for 2 acres from Water Right No. 43-2444

for the benefit of the following described premises situated in Cassia County, Idaho, to-wit:

**TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 7: Part of the S½NE¼, more particularly described as follows:

Beginning at the East quarter Corner of Section 7, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap; Thence North 00°02'10" East along the east line of Section 7 for a distance of 732.54 feet to the Point of Beginning;
Thence South 89°30'57" West for a distance of 26.27 feet to a ½ inch rebar;
Thence South 89°30'57" West for a distance of 1100.75 feet to a ½ inch rebar;
Thence North 00°04'57" West for a distance of 136.71 feet to a ½ inch rebar;
Thence North 77°32'26" West for a distance of 188.78 feet to a ½ inch rebar;
Thence North 03°36'14" East for a distance of 359.37 feet to a ½ inch rebar;
Thence North 03°36'14" East for a distance of 22.92 feet to the centerline of 2125 South Road;
Thence North 89°58'07" East along said centerline for a distance of 1119.26 feet;
Thence South 05°55'00" West for a distance of 22.42 feet to a ½ inch rebar;
Thence South 00°15'00" West for a distance of 100.00 feet to a ½ inch rebar;
Thence South 89°41'00" East for a distance of 146.71 feet to a ½ inch rebar;
Thence South 89°41'00" East for a distance of 13.29 feet;
Thence North 00°15'00" East for a distance of 100.00 feet;
Thence North 89°41'00" West for a distance of 160.00 feet to a ½ inch rebar;
Thence North 05°55'00" East for a distance of 22.42 feet to the centerline of 2125 South Road;
Thence North 89°58'07" East along said centerline for a distance of 168.57 feet to the east line of Section 7;
Thence South 00°02'10" West along said line for a distance of 550.16 feet to the Point of Beginning.

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

Dated: November 14, 2016

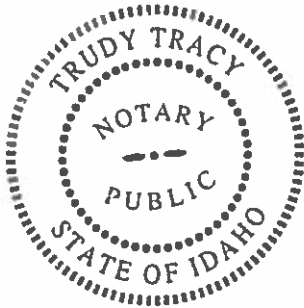
TRANSFER 81324

RED ROCK FARMS, LLC

By: Roseanne Rex
Roseanne Rex, Manager

STATE OF IDAHO)
)ss.
COUNTY OF Cassia)

On this 14 day of November, 2016, before me, the undersigned, a Notary Public, personally appeared Roseanne Rex, known or identified to me to be the manager of Red Rock Farms, LLC, the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.



Trudy Tracy
Notary Public
Residing at: Malta Idaho
My Commission Expires: 11-13-18



TitleOne
a title & escrow co.

COPY

Idaho Department of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301

211 West 13th Street
Burley, ID 83318
Ph. (208)878-3524
Fx. (866)623-1347
www.titleonecorp.com

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DEPT OF WATER RESOURCES
SOUTHERN REGION

Date: December 8, 2016

Re: Escrow No. 16282335 / Matthew Shulz and Ariene Shulz sale to Gaspar Maldonado and Angelica Maldonado

In connection with the above referenced transaction, this is your letter of instruction to transfer the 2.0 acres of water rights (which were supposed to go to the Shulz property from Rex's) directly to Gaspar Maldonado and Angelica Maldonado. I am enclosing the following documents for reference in order to transfer the water:

- Copy of Warranty Deed showing proof of sale from Shulz to Maldonado
- Notice of Change in Water Right Ownership form to use if needed for the transfer
- Copy of the email correspondence from Bill Mills regarding the water right transfer
- Copy of Survey for the property
- A check in the amount of \$25.00 for the transfer fee

If you have any questions, please do not hesitate to contact us.

Sincerely,

Megan Martinez
(208) 878-3524
mmartinez@titleonecorp.com

Matthew Shulz

Gaspar Maldonado

Ariene Shulz

Angelica Maldonado

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COPY

Notice of Change in Water Right Ownership

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 DEPT OF WATER RESOURCES
 SOUTHERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
43-13782	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: _____

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Gaspar Maldonado and/or Angelica Maldonado

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☒ and/or

3543 South 1900 East

Malta

ID

83342

Mailing address

City

State

ZIP

208-430-5868

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: _____

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Gaspar Maldonado

Signature of new owner/claimant

Title, if applicable

Date

12/9/2016

Signature: Angelica Maldonado

Signature of new owner/claimant

Title, if applicable

Date

12/9/2016

For IDWR Office Use Only:

Received by DM

Date 12-14-2016

Receipt No. 8035846

Receipt Amt. \$25-

Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9 _____

Approved by _____

Processed by _____

Date _____



CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
01:47:54 PM 12-12-2016
2016-005214
NO. PAGES: 2 FEE: \$13.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

Order Number: 16282335

Warranty Deed

For value received,

Matthew Shulz and Arlene Shulz, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Gaspar Maldonado and Angelica Maldonado, husband and wife, as community property with right of survivorship

whose current address is 3543 South 1900 East Malta, ID 83342

the grantee, the following described premises, in Cassia County, Idaho, to wit:

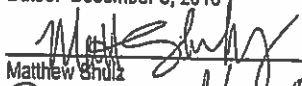
TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 7: Part of the S½NE¼, more particularly described as follows:

Beginning at the East quarter Corner of Section 7, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap; Thence North 00°02'10" East along the east line of Section 7 for a distance of 732.54 feet to the Point of Beginning;
Thence South 89°30'57" West for a distance of 26.27 feet to a ½ inch rebar;
Thence South 89°30'57" West for a distance of 1100.75 feet to a ½ inch rebar;
Thence North 00°04'57" West for a distance of 136.71 feet to a ½ inch rebar;
Thence North 77°32'26" West for a distance of 188.78 feet to a ½ inch rebar;
Thence North 03°36'14" East for a distance of 359.37 feet to a ½ inch rebar;
Thence North 03°36'14" East for a distance of 22.92 feet to the centerline of 2125 South Road;
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Thence South 89°41'00" East for a distance of 146.71 feet to a ½ inch rebar;
Thence South 89°41'00" East for a distance of 13.29 feet;
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Thence North 89°41'00" West for a distance of 160.00 feet to a ½ inch rebar;
Thence North 05°55'00" East for a distance of 22.42 feet to the centerline of 2125 South Road;
Thence North 89°58'07" East along said centerline for a distance of 168.57 feet to the east line of Section 7;
Thence South 00°02'10" West along said line for a distance of 550.16 feet to the Point of Beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: December 8, 2016


Matthew Shulz


Arlene Shulz

State of Idaho, County of Cassia, ss.

On this 9th day of December in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Matthew Shulz and Arlene Shulz, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Megan L. Martinez
Notary Public
Residing In: Burley, ID
My Commission Expires: 5/27/2020
(seal)



Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 38861

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	139.95
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	139.95
Fax			
Section	Legals	Start/End Dates	01/05/2017 - 01/12/2017
SubSection		Insertions	2
Category	50 Legal	Size	90
Ad Key	38861-1	Salesperson(s)	Ruby Aufderheide
Keywords	Kevin Larson & Red Rock Farms	Taken By	Ruby Aufderheide
Notes			

Ad Proof

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

45-14500
KEVIN LARSON
1852 W 16TH ST
BURLEY, ID 83318
Point of Diversion NWSE S31 T12S R21E CASSIA County
Source GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 10/27/2016
Place Of Use: DOMESTICT
12S R21E S31 SENE
Applicant seeks to appropriate 0.04 cfs of groundwater for domestic uses from an existing well for use on a property located approximately 13.5 miles South and 12.25 miles West of the center of Burley.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81324
RED ROCK FARMS LLC, 2038 S HWY 81, MALTA, ID 83342; has filed Application No. 81324 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2444. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 0.04 cfs, 2.0 acre portion from a 263 acre Irrigation ground water right to a proposed well and a new place of use on an adjacent property. Current and proposed PODs and POU's are located approximately 6.0 to 6.7 miles south 0.7 to 1.7 miles east of Malta.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#New_Listings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before January 23, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
PUBLISH: January 5 and 12, 2017

Proof of legal notice

received from

Times News 12/29/2016

(2 total pages)

✓ OK DM 12/30/2016
E-mail sent to
newspaper.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 38861

Publication	Online		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	139.95
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	139.95
Fax			
Section	Legals	Start/End Dates	01/05/2017 - 01/12/2017
SubSection		Insertions	2
Category	50 Legal	Size	90
Ad Key	38861-1	Salesperson(s)	Ruby Aufderheide
Keywords	Kevin Larson & Red Rock Farms	Taken By	Ruby Aufderheide
Notes			

Ad Proof

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

45-14500
KEVIN LARSON
 1852 W 16TH ST
 BURLEY, ID 83318
 Point of Diversion NWSE S31 T12S R21E CASSIA County
 Source GROUND WATER Tributary
 Use: DOMESTIC 01/01 to 12/31 0.04 CFS
 Total Diversion: 0.04 CFS
 Date Filed: 10/27/2016
 Place Of Use: DOMESTICT
 12S R21E S31 SENE

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GARY SPACKMAN, Director
 PUBLISH: January 5 and 12, 2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 30, 2016

NATHAN ERICKSON
WATER DISTRICT #143
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Via hand delivery

RE: Transfer No. 81324
Water Right No(s). 43-2444

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

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

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 29, 2016

RED ROCK FARMS LLC
2038 S HWY 81
MALTA, ID 83342

RE: Transfer No. 81324
Water Right No(s). 43-2444

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 1/5/2017 and 1/12/2017**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **January 23, 2017**.

If the 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 the 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 application.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, December 29, 2016 1:06 PM
To: Times News
Subject: LEGAL NOTICES
Attachments: Times News Cover Letter.docx; SWC SWID Mit Plan Ad SWC call Jan 2017.docx; SWC-Coalition of Cities Mit Plan Notice Jan 2017.docx; Times News Ad.doc

Attached please find (3) legal notice being submitted for publication on January 5th & 12th, 2017. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 29, 2016

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 45-14500

RE: Transfer No. 81324
Water Right No(s): 43-2444

RE: Notice of Interim Mitigation Plan Submitted by Southwest and Goose Creek Irrigation Districts
and the Surface Water Coalition

RE: Notice of Interim Mitigation Plan Submitted by the City of Pocatello, Coalition of Cities, City of
Idaho Falls, and Surface Water Coalition

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 January 23, 2017. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
45-14500

KEVIN LARSON

1852 W 16TH ST

BURLEY, ID 83318

Point of Diversion NWSE S31 T12S R21E CASSIA County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 10/27/2016

Place Of Use: DOMESTIC

T12S R21E S31 SENE

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GARY SPACKMAN, Director

Published on January 5th & 12th, 2017

MEMORANDUM

Date: December 22, 2016
To: Transfer 81324 File
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes moving a 0.04 cfs, 2.0 acre portion from a 4.92 cfs, 263 acre irrigation ground water right (43-2444) to a proposed well and a new place of use on an adjacent property. Current and proposed PODs and POUs are located approximately 6.0 to 6.7 miles south 0.7 to 1.7 miles east of Malta.

Applicant filed the transfer to fulfill conditions of purchase agreement for a 16 acre parcel split off their former property. In the interim, the purchaser has sold the property to a new owner. That new owner has also filed a Change of Ownership for the 2.0 acre portion of the water right proposed to be moved in this transfer.

Overlap analysis indicates no overlap with other irrigation water rights at the current and proposed POUs. All PODs and POUs are located in the Raft River Critical Ground Water Management Area and Water District 143. Watermaster comments will be solicited.

- **Authority to File:** Applicant has provided a copy of a quitclaim conveying two acres from water right 43-2444 to the previous land owner. The new owner has provided a copy of a warranty deed for the property and all appurtenances. A letter of consent was provided and signed by both the current and previous property owner indicating their agreement to allow the applicant to move the 2.0 acres of water to their property.
- **Water Right Validity:** Water right 43-2444 was decreed in the SRBA on 6/28/2002. Recent aerial photography indicates that the property currently associated with this water right appears irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

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

MEMORANDUM

Date: December 20, 2016
To: Transfer 81324 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #81324 were based on the on the current transfer fee schedule and included \$200.00 for the 0.04 cfs being transferred in the application and \$100.00 fee for the change of ownership on the split portion of the right transferred (Receipt No.S035847).