

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

81133

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

AUG 15 2016

Department of Water Resources

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) Rim Rock Ranch, LLC, Alan B. Hubbard, Diane P. Hubbard, and Shane H. Hubbard

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☒ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☒ ☐ #10 Other. Please describe: Requested evidence of ownership is attached as 10a. Waivers are attached as 10b. See Part 1.A.2 for an explanation of these two attachments. Also calculations on transferred CFS are attached as 10c.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Rim Rock Ranch, LLC, Alan and Diane Hubbard, Shane Hubbard Phone 208-427-6635

Mailing address 426 Bench Lago Road, Grace, Idaho 83241 Email alan.hubbard@agrium.com

- ☐ 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 T.J. Budge Phone 208-232-6101

Mailing address 201 East Center Street, Pocatello, Idaho 83204 Email tjb@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.

Joseph G. Ballsfaedt
Signature of Applicant or Authorized Representative

Joseph G. Ballsfaedt, attorney Aug. 11, 2016
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. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Clarify points of diversion

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

See Attached

TRANSFER APPLICATION PART 1.A.2

General Overview

This water transfer application seeks to relocate the place of use for six irrigation water rights so that the place of use for each right is stacked on a single place of use. After this transfer is accomplished, the three applicants, who own the land underlying the final place of use for each water right, seek to split the six water rights based on land ownership, giving each owner his proportionate share of the rights based on the size of his place of use. As depicted in Attachment 7b, Shane Hubbard will own the water rights pertaining to the place of use that covers 1 acre of his property in the NWSE of Section 9; Alan and Diane Hubbard will own the water rights pertaining the place of use that covers 1.5 acres of their property, with .8 being in the NWSE of Section 9 and .7 being in the SWSE of Section 9; and Rimrock Ranch LLC will own the remaining portion of the water rights.

Points of Diversion

Although no new points of diversions are proposed, the water rights currently do not accurately show the location of existing points of diversion. This water transfer application seeks to clarify the correct location of the existing points of diversion, as depicted in Attachment 7b. The following three (3) points of diversion are the only points of diversion used under the water rights subject to this transfer application:

- 1) POD #1: Located at SE SE NW Township 11S Range 41E Section 9
 - Used under water right nos. 13-726, 13-727
 - Spring POD
- 2) POD #2: Located at NE SE NW Township 11S Range 41E Section 9
 - Used under water right nos. 13-726, 13-727
 - North Fork Trout Creek POD
- 3) POD #3: Located at SE NW SW Township 11S Range 41 E Section 15
 - Used under water right nos. 13-742, 13-776, 13-777, 13-778
 - Spring POD, tributary to Middle Fork Trout Creek

Water right no. 13-726 currently shows two additional PODs, one in the NE NE of Section 9, and one in the SE NE of Section 9. Neither of these PODs exists or is used and can be removed from this water right.

Additional Deeds

In a letter dated February 8, 2016, the Department of Water Resources indicated that it needed evidence of ownership of the property for the NW1/4 NE1/4 and the W1/2 W1/4 NE1/4. The deeds in Attachment 10a provide the requested evidence of ownership.

Releases

Water Right no. 13-742's current place of use is located on property owned by persons or entities other than the applicants. With the exception of two of these owners, Attachment 10b includes notarized releases from these owners, giving their consent to the proposed transfers under this Application. The other two owners have given oral approval of the proposed transfers and have indicated that they would sign and have notarized the waivers, but have not yet done so. These two owners are 1) Carl B. Jorgensen and Patricia Jorgensen and 2) Robert C. Harris and Ruth C. Harris. The Applicants request that these two owners be given notice of this Application and the opportunity to object.

Change of Ownership

After this Application is approved, the Applicants request that the Notice of Change in Water Rights Ownership form, which is included with this Application, be processed to reflect that each of the six water rights are split between the three Applicants based on land ownership. Ownership is depicted in attachment 7b and evidenced in the deeds in attachment 10.

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.	<u>Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	13-726	0.7 cfs	irrigation	4/20 to 9/30	North Fork Trout Creek
☒ ☐	13-727	1.8 cfs	irrigation	4/20 to 9/30	North Fork Trout Creek
☒ ☐	13-742	0.7 cfs	irrigation	4/20 to 9/30	Middle Fork Trout Creek
☒ ☐	13-776	0.3 cfs	irrigation	4/20 to 9/30	Middle Fork Trout Creek
☒ ☐	13-777	1.3 cfs	irrigation	4/02 to 9/30	Middle Fork Trout Creek
☒ ☐	13-778	1.6 cfs	irrigation	4/20 to 9/30	Middle Fork Trout Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.4 cfs and/or acre-feet.

2. Total amount of water proposed to be transferred or changed 2.7 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

Approximately. See attachment 10c.

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

[illegible]

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

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

[illegible]

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:
The diversions from North Fork Trout Creek divert straight from the creek into a ditch for flood irrigation. The diversion from Middle Fork Trout Creek divert into a pipe that replaced an old ditch. There are currently no measuring devices.
- b. Who owns the property at the point(s) of diversion? Dennis and Cassie Collins, Robert C. Harris and Ruth C. Harris
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
These points of diversion have always been used without objection. this historic use constitutes a prescriptive easement.
- 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:
The proposed change will simply shrink the permissible place of use but will not change the purpose of use.

- 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:
N/A

- 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:

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

Current Water Right No.: 13-776

Current Owner: MERINTHA E HANSEN

Priority Date: 5/1/1883

Origin: Water Right

Status: Active

Basis: Decreed

Source

MIDDLE FORK TROUT CREEK

Tributary

TROUT CREEK

Beneficial Use

IRRIGATION

From To

4/20 to 9/30

Total Diversion

Diversion Rate

0.3 CFS

0.3 CFS

Annual Volume

Location of Point(s) of Diversion

MIDDLE FORK TROUT CREEK

CARIBOU County

Sec. 15, Twp 11S, Rge 41E B.M.

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S9

SWSW

T11S R41E S9

SESW

T11S R41E S9

SWSE

T11S R41E S9

SESE

Conditions of Approval:

1. P/U, AC. IRR. = 160.
P/D INCOMPLETE LEGAL: SEC. 15, T. 11S, R. 41E.

Decreed Date: 7/14/1920

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

Current Water Right No.: 13-777

Current Owner: MERINTHA E HANSEN

Priority Date: 5/1/1886

Origin: Water Right

Status: Active

Basis: Decreed

Source

MIDDLE FORK TROUT CREEK

Tributary

TROUT CREEK

Beneficial Use

IRRIGATION

From To

4/02 to 9/30

Diversion Rate

1.3 CFS

Annual Volume

Total Diversion

1.3 CFS

Location of Point(s) of Diversion

MIDDLE FORK TROUT CREEK

Sec. 15, Twp 11S, Rge 41E B.M.

CARIBOU County

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S9

SWSW

T11S R41E S9

SESW

T11S R41E S9

SWSE

T11S R41E S9

SESE

Conditions of Approval:

1. P/D INCOMPLETE LEGAL: SEC. 15, T. 4S, R. 41E.
P/U INCOMPLETE AC. IRR. = 160.

Decreed Date: 7/14/1920

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

Current Water Right No.: 13-778

Current Owner: MERINTHA E HANSEN

Priority Date: 4/15/1901

Origin: Water Right

Status: Active

Basis: Decreed

Source

MIDDLE FORK TROUT CREEK

Tributary

TROUT CREEK

Beneficial Use

IRRIGATION

From To

4/20 to 9/30

Total Diversion

Diversion Rate

1.6 CFS

1.6 CFS

Annual Volume

Location of Point(s) of Diversion

MIDDLE FORK TROUT CREEK

CARIBOU County

NE1/4NE1/4

Sec. 15, Twp 11S, Rge 41E B.M.

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S9	SWSW
T11S R41E S9	SWSE

T11S R41E S9	SESW
T11S R41E S9	SESE

Conditions of Approval:

1. P/U INCOMPLETE AC. IRR. = 160.

Decreed Date: 7/14/1920

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

Current Water Right No.: 13-726

Current Owner: JOSEPH SWENSEN

Priority Date: 5/1/1880

Origin: Water Right

Status: Active

Basis: Decreed

Source

NORTH FORK TROUT CREEK

Tributary

TROUT CREEK

Beneficial Use **From To**
IRRIGATION 4/20 to 9/30
 Total Diversion

Diversion Rate **Annual Volume**
0.7 CFS
0.7 CFS

Location of Point(s) of Diversion

NORTH FORK TROUT CREEK	NE1/4NE1/4	Sec. 9,	Twp 11S,	Rge 41E B.M.
CARIBOU County				
NORTH FORK TROUT CREEK	SE1/4NE1/4	Sec. 9,	Twp 11S,	Rge 41E B.M.
CARIBOU County				
NORTH FORK TROUT CREEK	NW1/4SE1/4	Sec. 9,	Twp 11S,	Rge 41E B.M.
CARIBOU County				
NORTH FORK TROUT CREEK	SE1/4NW1/4	Sec. 9,	Twp 11S,	Rge 41E B.M.
CARIBOU County				

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S9	SWNE	T11S R41E S9	SENE
T11S R41E S9	NESW	T11S R41E S9	NWSE

Conditions of Approval:

1. P/U, AC IRR=125.

Decreed Date: 7/14/1920

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

Current Water Right No.: 13-727

Current Owner: JOSEPH SWENSEN

Priority Date: 5/1/1902

Origin: Water Right

Status: Active

Basis: Decreed

Source

NORTH FORK TROUT CREEK

Tributary

TROUT CREEK

Beneficial Use

IRRIGATION

From To

4/20 to 9/30

Total Diversion

Diversion Rate

1.8 CFS

1.8 CFS

Annual Volume

Location of Point(s) of Diversion

NORTH FORK TROUT CREEK

CARIBOU County

SE1/4NW1/4

Sec. 9, Twp 11S, Rge 41E B.M.

NORTH FORK TROUT CREEK

CARIBOU County

NW1/4SE1/4

Sec. 9, Twp 11S, Rge 41E B.M.

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S9

SWNE

T11S R41E S9

SENE

T11S R41E S9

NESW

T11S R41E S9

NWSE

Conditions of Approval:

1. P/U, AC IRR=125.

Decreed Date: 7/14/1920

Page 6 of 6

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

Current Water Right No.: 13-742

Current Owner: JOSEPH SWENSEN

Priority Date: 5/1/1889

Origin: Water Right

Status: Active

Basis: Decreed

Source

MIDDLE FORK TROUT CREEK

Tributary

TROUT CREEK

Beneficial Use

IRRIGATION

From To

4/20 to 9/30

Total Diversion

Diversion Rate

0.7 CFS

0.7 CFS

Annual Volume

Location of Point(s) of Diversion

MIDDLE FORK TROUT CREEK

CARIBOU County

Sec. 15, Twp 11S, Rge 41E B.M.

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S9

Conditions of Approval:

1. P/U, AC IRR=35.
P/D INCOMPLETE LEGAL: CENTER SEC. 15, T11S R41E.

Decreed Date: 7/14/1920

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**.

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:

[illegible]**FOR DEPARTMENT USE ONLY**

Transfer contains 1 pages and 0 attachments.

Received by Date Preliminary check by Date

Fee paid 1640- Date 8/15/16 Received by SE Receipt # E042362

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

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

Attachment 4

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 6th day of MAY, 2016.

Alan Hubbard
(Signature)

Alan Hubbard
(Printed name)

426 Beach Lago Rd
(Address)

Grace Idaho

Diane Hubbard
(Signature)

Diane Hubbard
(Printed name)

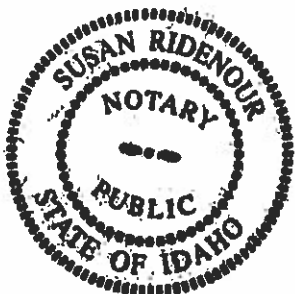
426 Beach Lago Rd
(Address)

Grace Idaho 83241

STATE OF Idaho

County of Caribou :SS

On this 6th day of MAY, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Alan Hubbard & Diane Hubbard, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that (s)he executed the same.



Susan Ridenour
NOTARY PUBLIC FOR Idaho
Commission expires: 10-4-2016

Attachment 4

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 6th day of May, 2016.

Shane Hubbard

(Signature)

Shane Hubbard

(Printed name)

438 Birch Lago Rd

(Address)

Pocatello, Idaho

(Signature)

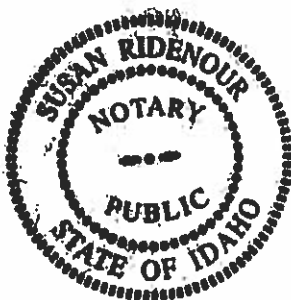
(Printed name)

(Address)

STATE OF Idaho

County of Cassia

On this 6th day of MAY, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Shane Hubbard, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that (s)he executed the same.



Susan Ridenour

NOTARY PUBLIC FOR Idaho

Commission expires: 10-4-2016

Attachment 4

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 6th day of May, 2016.

Rimrock Ranch LLC
(Signature)

(Printed name)

(Address)

Alan Hubbard
(Signature)

(Printed name)

(Address)

486 Birch Lago Rd
Grange Idaho

STATE OF Idaho

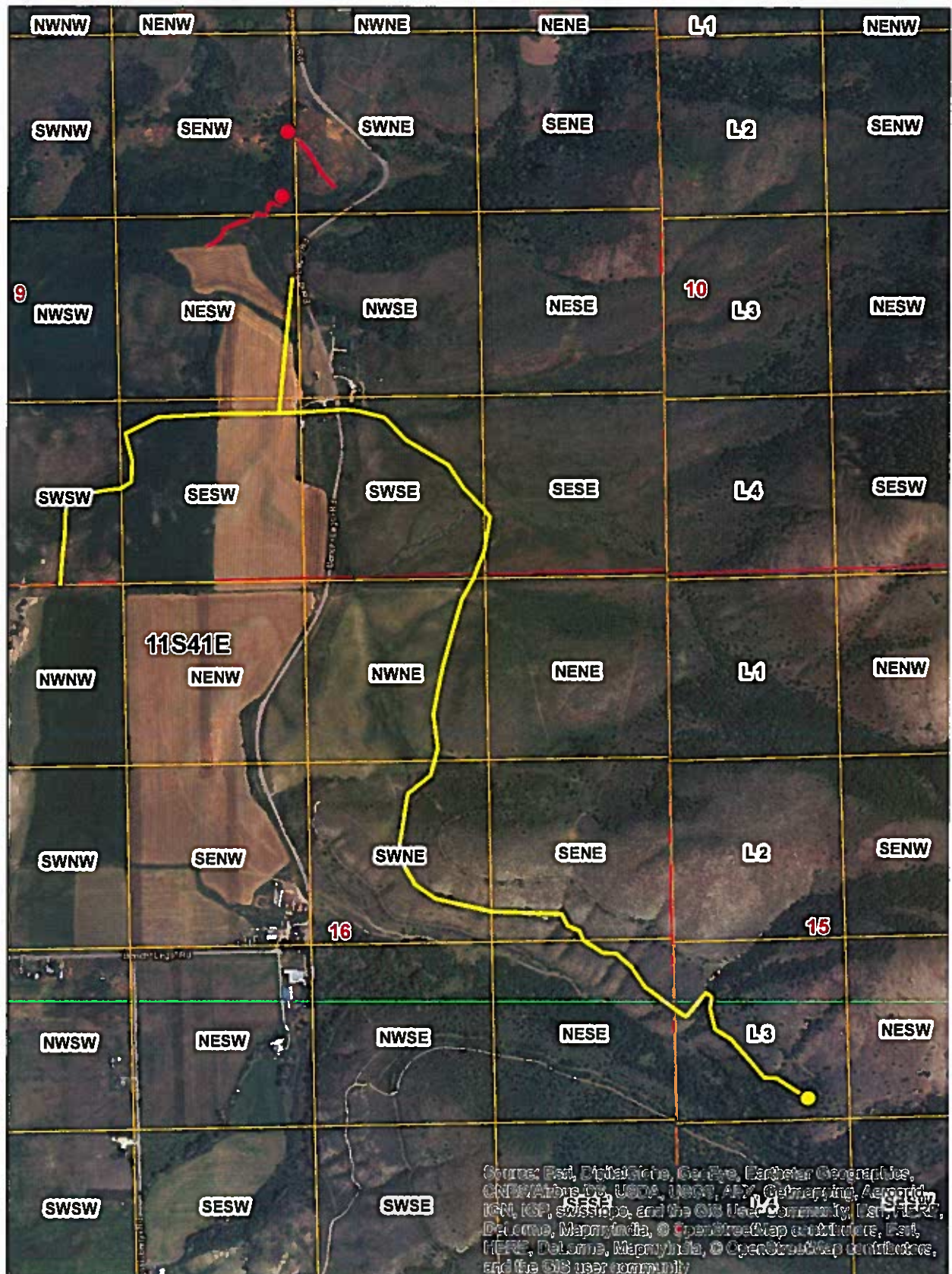
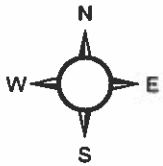
County of Caribou :SS

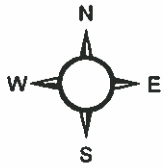
On this 6th day of MAY, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Alan Hubbard for Rim Rock Ranch LLC, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that (s)he executed the same.



Susan Ridenour
NOTARY PUBLIC FOR Idaho
Commission expires: 10-4-2016

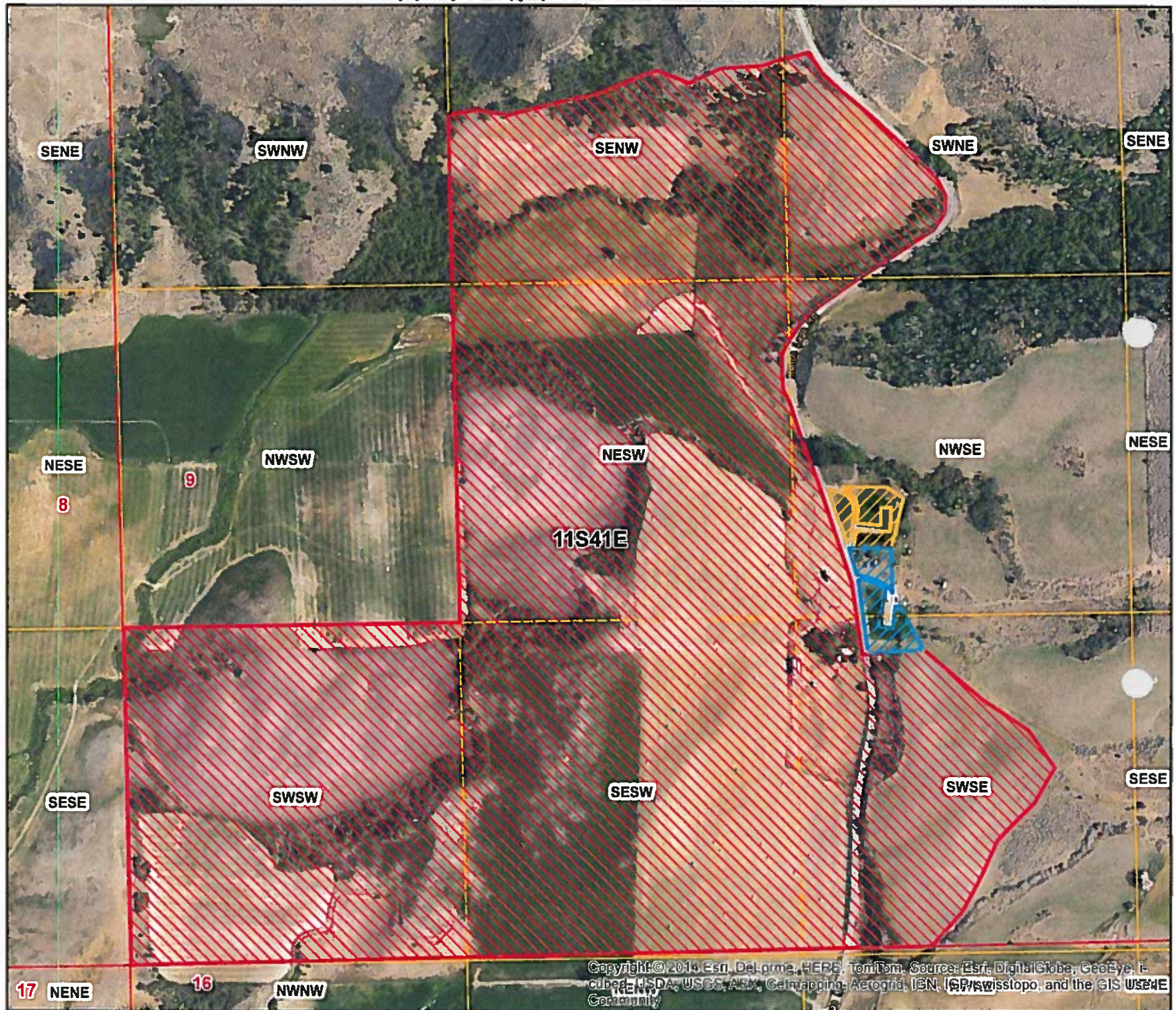
- **POD 13-742, 13-776, 13-777 & 13-778**
- **POD 13-726 & 13-727**
- **Dist. System 13-742, 13-776, 13-777 & 13-778**
- **Dist. System 13-726 & 13-727**
- **TR Lines**
- **Section Lines**
- **Quarter Quarters**





Legend

- New POU (Alan)
- New POU (Rimrock)
- New POU (Shane)
- TR Lines
- Section Lines
- Quarter Quarters



81133



168642

QUITCLAIM DEED

FOR VALUE RECEIVED, ALAN B. HUBBARD, ANNETTE K. WILLIAMS, and JAMIEL D. CHIVERS, ("Grantors"), do hereby convey, release, remise and forever quit claim unto RIM ROCK RANCH, LLC, an Idaho Limited Liability Company ("Grantee"), whose address is 423 Bench Lago Road, Grace, Idaho 83241 the following described premises, located in Caribou County, Idaho to wit:

Parcel 1:

The Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter, the South Half of the Southwest Quarter, the Northwest Quarter of the Southeast Quarter, and the South Half of the Southeast Quarter of Section 9, Township 11 South, Range 41 East of the Boise Meridian.

Parcel 2:

The Southeast quarter of the Northeast quarter, the Northeast quarter of the Southeast quarter and the South Half of the Southeast quarter of Section 33, Township 10, South, Range 41 East of the Boise Meridian.

Also, commencing at a point 50 rods West of the Northeast Corner of Section 4, Township 11 South, Range 41 East of the Boise, Meridian, thence running West 30 rods, thence South 33 rods, thence East 39 rods, thence in a Northwesterly direction to the place of beginning.

Also, beginning at a point 21 rods West of the Northeast corner of the Northwest quarter of Section 28, Township 10 South, Range 41 East of the Boise Meridian, and running thence South 66 rods, thence in a Southeasterly direction 26.4 rods, more or less, to longitudinal center line of said Section, thence in a Southerly direction following said longitudinal center line 158 rods more or less, to the Southwest corner of the Northwest quarter of the Southeast quarter of Section 28, thence West 80 rods, thence North 240 rods, thence East 59 rods to the place of beginning.

together with its appurtenances.

DATED this 9 day of May, 2003.

STATE OF IDAHO] ss 168642
County of Caribou

I hereby certify that this instrument was filed at the request of Diane Hubbard

at 11:45 o'clock A m this 23rd day of May, 2003 In my office and duly

recorded official Records

Recorder Edie Bush

Signature

Leslie Stephens
9.00 PM Deputy

Alan B. Hubbard
ALAN B. HUBBARD

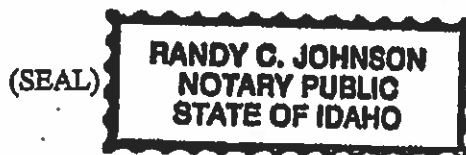
STATE OF IDAHO)

168642

County of Cassia) ss

On this 9 day of May, 2003, before me the undersigned Notary Public in and for said State, personally appeared ALAN B. HUBBARD known or identified to me to be the person whose names is subscribed to the within instrument and acknowledged to me that he subscribed 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: Soda Springs Idaho
 My Commission expires: 5/5/00

[Signature: Annette K. Williams]
 ANNETTE K. WILLIAMS

STATE OF _____)

: ss

County of _____)

On this 19th day of May, 2003, before me the undersigned Notary Public in and for said State, personally appeared ANNETTE K. WILLIAMS known or identified to me to be the person whose names is subscribed to the within instrument and acknowledged to me that she subscribed the same.

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



[Signature: Heidi Kaufman]
 NOTARY PUBLIC FOR State of Montana
 Residing at: Helena, MT
 My Commission expires: May 16, 2005

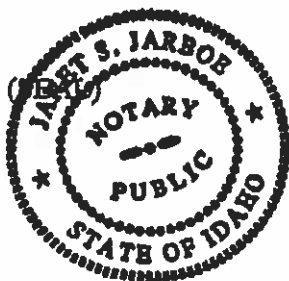
168642

Janiel D. Chivers
JANIEL D. CHIVERS

STATE OF Idaho)
County of Ada)

On this 13th day of May, 2003, before me the undersigned Notary Public in and for said State, personally appeared JANIEL D. CHIVERS known or identified to me to be the person whose names is subscribed to the within instrument and acknowledged to me that she subscribed the same.

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



Janet S. Jarboe
NOTARY PUBLIC FOR Idaho
Residing at: Boise, ID
My Commission expires: 5/22/06

THIS INSTRUMENT FILED FOR RECORD
BY ALLIANCE TITLE & ESCROW CORP. AS AN
ACCOMMODATION ONLY. IT HAS NOT BEEN
EXAMINED AS TO ITS EXECUTION OR AS TO
ITS EFFECT UPON THE TITLE.

Instrument # 187288

CARIBOU COUNTY

6-1-2011 02:58:03 No. of Pages: 2

Recorded for: ALLIANCE TITLE

VEDA MASCARENAS

Ex-Officio Recorder Deputy

Index to: QUITCLAIM DEED

Fee: 13.00

QUITCLAIM DEED

FOR VALUE RECEIVED,

Alan B. Hubbard and Diane P. Hubbard, Husband and Wife

Do(es) hereby convey, release, remise and forever quit claim unto

Shane H. Hubbard, a married person

whose current address is:

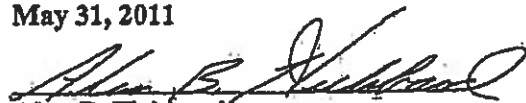
423 Bench Lago Rd.
Grace, ID 83241

the following described premises:

See Attached Legal Description

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

May 31, 2011


Alan B. Hubbard


Diane P. Hubbard

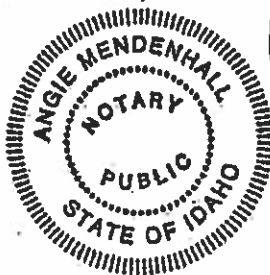
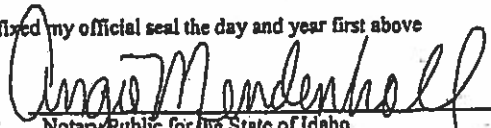
State of Idaho

County of Caribou

} ss.

On this 31st day of May, in the year 2011 before me, a Notary Public in and for said state, personally
appeared Alan B. Hubbard and Diane P. Hubbard known or identified to me to be the person whose
name is subscribed to the within instrument and acknowledged to me that they executed the same.

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



Notary Public for the State of Idaho
Residing at: Grace
Commission Expires: 01-20-12

GEM 1830 IVINS ROAD
 VALLEY BANCROFT, ID 83217
 SURVEY 208-425-8035

LEGAL DESCRIPTION
 FOR
 SHANE HUBBARD

A portion of the lands described in that quitclaim deed instrument number 168643 and depicted upon that Record of Survey instrument no. 168593 all recorded in the official records of Caribou County, Idaho, the same being located in the northwest quarter of the southeast quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, more particularly described as follows:

Commencing at the East quarter corner of Section 9, Township 11 South, Range 41 East, Boise Meridian, said corner being the original 1873 Limestone marked and witnessed as described by the surveyor general and perpetuated by Corner Perpetuation and Filing Record Instrument No. 168592 in the official records of Caribou County, Idaho, said corner being South 00°49'59" East a distance of 2622.18 feet from the northeast corner of said Section 9, Thence South 59°56'22" West for a distance of 2796.76 feet to a found 5/8" rebar with cap tagged, "GVS, LS 9169" at the intersection of a projected fence line coursing east and west with the easterly right-of-way line of the Bench-Lago County Road; Thence South 89°52'49" East for a distance of 158.95 feet along said fence line to a found 5/8" rebar with cap tagged, "GVS PLS 9169", the same being the southeast corner of the lands described in said instrument no. 168643; Thence North 03°24'44" East for a distance of 354.45 feet along the East boundary line of said lands to a 5/8" rebar with cap tagged, "GVS PLS 9169", the True Point of Beginning;

Thence South 84°08'35" West for a distance of 240.12 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the easterly right-of-way line of said Bench-Lago County Road, the same being on a 2130.24 foot radius nontangent curve whose center bears South 75°29'32" West;

Thence along said right-of-way boundary line for the following Two (2) courses:

(1) Thence northwesterly along said curve to the left through a central angle of 05°36'51" for an arc distance of 208.74 feet to a found 5/8" rebar with cap tagged, "GVS PLS 9169" at the point of tangency (Chd Brg N 17°18'54" W 208.65');

(2) Thence North 20°07'20" West for a distance of 35.44 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set at the intersection with the a fence line extension;

Thence leaving said right-of-way line and coursing through the lands described in said quitclaim deed instrument number 168643 as recorded in said county, South 86°19'39" East for a distance of 324.99 feet along said fence line extension and fence line to a 5/8" rebar with cap tagged, "GVS PLS 9169" set at a fence corner coursing South and West; Thence South 03°24'44" West for a distance of 60.74 feet along an ancient fence line to found a 5/8" rebar with cap tagged, "GVS, LS 9169";

Thence continuing South 03°24'44" West for a distance of 126.75 feet along said fence line to the True Point of Beginning.

Contains 1.3 acres of land.

Shane Hubbard
 May 24, 2011
 Job No. 2-11-75



168643

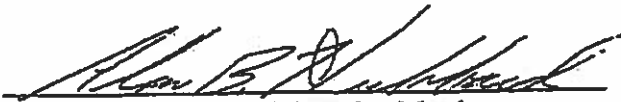
QUITCLAIM DEED

FOR VALUE RECEIVED, RIMROCK RANCH, LLC, an Idaho Limited Liability Company ("Grantor"), does hereby convey, release, remise and forever quit claim unto ALAN B. HUBBARD and DIANE P. HUBBARD, husband and wife, ("Grantees"), whose address is 423 Bench Lago Road, Grace, Idaho 83241 the following described premises, located in Caribou County, Idaho to wit:

SEE EXHIBIT "A".

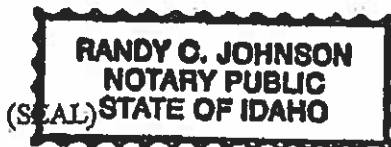
together with its appurtenances.

DATED this 9 day of May, 2003.

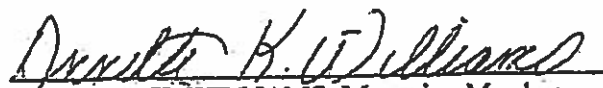

ALAN B. HUBBARD, Managing Member

STATE OF IDAHO)
: ss
County of Caribou)

On this 9 day of May, 2003, before me the undersigned Notary Public in and for said State, personally appeared ALAN B. HUBBARD, known or identified to me to be a Managing Member, of the LLC that executed the instrument or the person who executed the instrument on behalf of said LLC and acknowledged to me that such LLC executed the same.




NOTARY PUBLIC FOR IDAHO
Residing at 414 Spring Idaho
My Commission expires: 5/5/2009


ANNETTE K. WILLIAMS, Managing Member

STATE OF IDAHO } ss 168643
County of Caribou }
I hereby certify that this instrument was filed at the request
of Diane Hubbard
at 11:45 o'clock A in this 23rd day of
May, 2003, in my office and duly
recorded official Records
Recorder Edie Bush
Signature Jessie Steinhilber Deputy
9:00 per

STATE OF _____)
 : ss
County of _____)

Heidi Kaufman
NOTARY PUBLIC FOR
Residing at: Belton, MT
My Commission expires: May 16, 2005

Janiel D. Chivers
JANIEL D. CHIVERS, Managing Member

STATE OF Idaho)
County of Ada) ss

The seal of the Commonwealth of Massachusetts is located in the top right corner. It features a circular design with the words "SIGILLUM REIPUBLICÆ MASSACHUSETTENSIS" around the perimeter. In the center is a shield depicting a Native American holding a bow and arrow, with a five-pointed star above his right shoulder.


 NOTARY PUBLIC FOR Idaho
 Residing at: Borise, ID
 My Commission expires: 5/22/06



MAY-05-03 09:53AM FROM-AGRIUM CHEM BLDG,

208-547-4948

T-420 P 02/02 F-306

GEM 1930 MINS ROAD
 VALLEY BANCROFT, ID 83217
 SURVEY 208-425-9035

EXHIBIT "A" 168643

LEGAL DESCRIPTION
 FOR
 ALAN HUBBARD

A portion of the lands described in that quitclaim deed instrument number 166981 as recorded in the official records of Caribou County, Idaho, the same being located in the northwest quarter of the southeast quarter of Section 9, township 11 south, range 41 east, Boise Meridian, more particularly described as follows:

Commencing at the east quarter corner of Section 9, township 11 south, range 41 east, Boise Meridian, said corner being the original 1873 Limestone marked and witnessed as described by the surveyor general, the same being perpetuated by a corner perpetuation and filing record this survey, said corner being South 00°49'59" East a distance of 2622.18 feet from the northeast corner of said Section 9, basis of bearings this survey; Thence South 59°56'22" West for a distance of 2796.76 feet to a 5/8" rebar with cap tagged, "GVS, LS 9169" set at the intersection of a projected fence line coursing east and west with the easterly right-of-way line of the Bench-Lago County Road, the True Point of Beginning; Thence northwesterly along said right-of-way line for the following three (3) calls;

- (1) Thence North 07°02'03" West for a distance of 56.63 feet to the beginning of a 2130.24 foot radius tangent curve concaved to the southwest;
- (2) Thence northwesterly along said curve to the left through a central angle of 13°05'17" for an arc distance of 486.61 feet to the point of tangency;
- (3) Thence North 20°07'20" West for a distance of 252.41 feet;

Thence leaving said right-of-way line and coursing through the lands described in said quitclaim deed instrument number 166981 as recorded in the official records of Caribou County, Idaho, South 82°09'59" East for a distance of 190.45 feet; Thence South 72°40'17" East for a distance of 242.61 feet; Thence North 84°41'45" East for a distance of 89.61 feet; Thence South 75°25'32" East for a distance of 112.73 feet; Thence South 10°52'07" West for a distance of 170.33 feet; Thence North 89°52'49" West for a distance of 191.15 feet; Thence South 03°24'44" West for a distance of 481.20 feet to a 5/8" rebar with cap tagged, "GVS, LS 9169" set at the intersection of a fence line coursing east and west; Thence North 89°52'49" West for a distance of 158.95 feet to the True Point of Beginning.

Contains 5.2 acres of land.

Alan Hubbard
 April 30, 2003
 Job No. 203022



ATTACHMENT 10b

RELEASE OF CLAIM TO WATER RIGHT NO. 13-742

We, Clint Steven Edwards and Sara Maria Edwards, husband and wife, own property pursuant to the deed attached hereto as Exhibit A (the "Property"). We acknowledge that the place of use of Water Right No. 13-742 (the "Water Right") as presently shown in the records of the Idaho Department of Water Resources (IDWR) encompasses a portion of the Property. However, we acknowledge the Water Right has not historically been used on the Property, and we release any claim of ownership to the Water Right.

Clint Steven Edwards
Clint Steven Edwards

30 March, 2016
Date

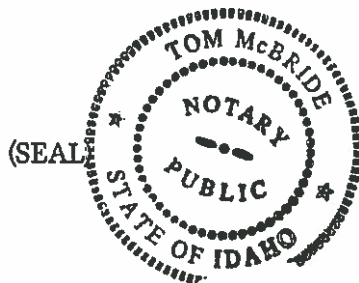
Sara Maria Edwards
Sara Maria Edwards

March 30, 2016
Date

STATE OF IDAHO)
 : ss
County of Caribou)

On this 30 day of March, 2016, before me, the undersigned Notary Public in and for said State, personally appeared Clint Steven Edwards and Sara Maria Edwards, and known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they signed the same.

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



Tom McBride
NOTARY PUBLIC FOR IDAHO
Residing at: Sava Hot Springs
My Commission Expires: 8/31/20

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/4/2015

WATER RIGHT NO. 13-742

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSEPH SWENSEN 685 BENCH LAGO RD GRACE, ID 83241 (208)425-3305

Priority Date: 05/01/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MIDDLE FORK TROUT CREEK	TROUT CREEK

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

Location of Point(s) of Diversion:

TROUT CREEK||Sec. 15|Township 11S|Range 41E|CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
-----------------	--------------	----------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------

8 1 1 33

11S | 41E | 9 | | | | | | | | | | | |

Conditions of Approval:

1. ||P/U, AC IRR=35. P/D INCOMPLETE LEGAL: CENTER SEC. 15, T11S R41E.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

AFTER RECORDING MAIL TO:

Clint Steven Edwards
554 E. 2nd S.
Grace, ID 83241

Instrument # 195046

CARIBOU COUNTY

4-1-2015 12:00:13 PM No. of Pages: 3

Recorded for: CLINT EDWARDS

DENISE HORSLEY

Ex-Officio Recorder Deputy

Index to: QUITCLAIM DEED

15.00
[Signature]

QUITCLAIM DEED

File No.: ()

Date: March 30, 2015

For Value Received, Clint Steven Edwards and Sara Maria Edwards, husband and wife, do(es) hereby convey, release, remise, and forever quit claim unto Clint Steven Edwards and Sara Maria Edwards, husband and wife, whose address is 554 East 2nd South, Grace, ID 83241, herein after called the Grantee, the following described premises situated in Caribou County, Idaho, to-wit:

Caribou County, Idaho:

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being a portion of the lands described in Quitclaim Deed Instrument No. 187528 as recorded in the records of Caribou County, Idaho, more particularly described as follows:

BEGINNING at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being marked and witnessed by a 5/8" rebar with cap tagged, "GVS PLS 9169" per that Corner Perpetuation and Filing record instrument No. 193447 in the records of Caribou County, Idaho, the same being South 00°27'01" West a distance of 1363.11 feet from the Northwest corner of said Northwest Quarter of the Northeast Quarter; Thence North 89°08'41" West along the South boundary line of the Northeast Quarter of the Northwest Quarter of said Section for a distance of 4.30 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Easterly right of way boundary line of the Bench-Lago Road;

Thence along said right of way boundary line, parallel with and 25.00 feet perpendicular distant from the centerline of said road, for the following Three (3) courses marked and witnessed by a set 5/8" rebar with cap tagged, "GVS PLS 9169":

1. Thence North 10°39'01" West for a distance of 55.66 feet to the beginning of a 1572.02 foot radius tangent curve concave easterly;
2. Thence Northerly along said curve to the right through a central angle of 13°51'08" for an arc distance of 380.06 feet to the point of tangency (Chd Brs N 03°43'27" W 379.14');;
3. Thence North 03°12'07" East for a distance of 325.28 feet to a point on the intersection of said right of way boundary line with the Southerly right of way boundary line of said road; Thence South 38°23'59" East for a distance of 410.29 feet along said right of way boundary line to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the beginning of a 507.69 foot radius tangent curve concave Northeasterly;



Thence Southeasterly along said curve to the left through a central angle of 27°46'35" for an arc distance of 246.12 feet (Chd Brs S 52°17'17" E 243.72');
Thence leaving said right of way boundary line and coursing South 09°49'56" West for a distance of 154.46 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169";
Thence South 00°11'48" West for a distance of 141.03 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the South boundary line of said Northwest Quarter of the Northeast Quarter;
Thence North 89°08'41" West for a distance of 399.79 feet along said boundary line to the Point of Beginning.

EXCEPT THEREFROM:

A parcel of land located in the Northeast Quarter of the Northwest Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being a portion of the lands described in Warranty Deed instrument No. 161311 as recorded in the records of Caribou County, Idaho, more particularly described as follows:

BEGINNING at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being marked and witnessed by a 5/8" rebar with cap tagged, "GVS PLS 9169" per that Corner Perpetuation and Filing record instrument No. 193447 in the records of Caribou County, Idaho, the same being South 00°27'01" West a distance of 1363.11 feet from the Northwest corner of said Northwest Quarter of the Northeast Quarter; Thence North 89°08'41" West along the South boundary line of the Northeast Quarter of the Northwest Quarter of said Section for a distance of 4.30 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Easterly right of way boundary line of the Bench-Lago Road;
Thence along said right of way boundary line, parallel with and 25.00 feet perpendicular distant from the centerline of said road, for the following Three (3) courses marked and witnessed by a set 5/8" rebar with cap tagged, "GVS PLS 9169":
1. Thence North 10°39'01" West for a distance of 55.66 feet to the beginning of a 1572.02 foot radius tangent curve concave easterly;
2. Thence northerly along said curve to the right through a central angle of 13°51'08" for an arc distance of 380.06 feet to the point of tangency (Chd Brs N 03°43'27" W 379.14');
3. Thence North 03°12'07" East for a distance of 325.28 feet to a point on the intersection of said right of way boundary line with the Southerly right of way boundary line of said road;
Thence North 09°55'31" East for a distance of 66.94 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on a right of way fence line;
Thence North 03°18'30" East for a distance of 320.49 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the West boundary line said Northwest Quarter of the Northeast Quarter;
Thence South 00°27'01" West for a distance of 1143.80 feet along said boundary line to the True Point of Beginning.

together with its appurtenances.

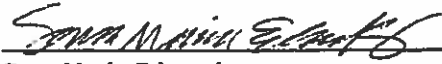
Dated: 4/1/15

APN: RL41410

Quitclaim Deed - continued

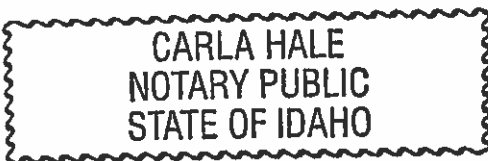
File No.: 505789 (ch)
Date: 03/30/2015


Clint Steven Edwards


Sara Maria Edwards

STATE OF Idaho)
ss.
COUNTY OF Caribou)

On this 10th day of April, 2015, before me, a Notary Public in and for said State, personally appeared **Clint Steven Edwards and Sara Maria Edwards**, known or Identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.




Notary Public of Idaho
Residing at: Soda Springs, Idaho
Commission Expires: 12/12/2020

RELEASE OF CLAIM TO WATER RIGHT NO. 13-742

The Collins Children Trust (the "Trust") owns property pursuant to the deed attached hereto as Exhibit A (the "Property"). We, Matthew Collins and Dennis Collins, as Co-Trustees of the Trust, acknowledge that the place of use of Water Right No. 13-742 (the "Water Right") as presently shown in the records of the Idaho Department of Water Resources (IDWR) encompasses a portion of the Property. However, we acknowledge the Water Right has not historically been used on the Property, and we release any claim of ownership to the Water Right.

Matthew Collins

Matthew Collins, Trustee of the
Collins Children Trust

4/1/16

Date

Dennis Collins

Dennis Collins, Trustee of the
Collins Children Trust

4-1-16

Date

STATE OF IDAHO)

: ss

County of Caribou)

On this 1st day of April, 2016, before me, the undersigned Notary Public in and for said State, personally appeared Matthew Collins and Dennis Collins, Trustees of the Collins Children Trust, and known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they signed the same.

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

Christina Mabey

NOTARY PUBLIC FOR IDAHO

Residing at: Lava Hot Springs, Idaho

My Commission Expires: 02/09/2021

(SEAL)

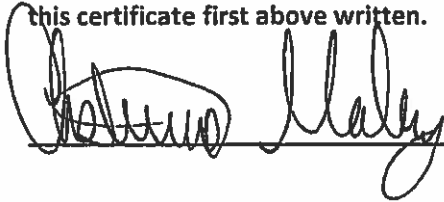
Christina Mabey
NOTARY PUBLIC
STATE OF IDAHO

State of Idaho} ss.

County of Caribou}

On this 1st day of April, 2016, before me, the undersigned, a Notary Public in and for said state, personally appeared Dennis Collins, known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Collins Children Trust, and acknowledged to me that he executed the same as Trustee.

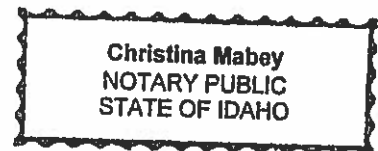
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

_____

Notary Public for the State of Idaho

Residing at: Lava Hot Springs, Idaho

Commission Expires: 02/09/2021



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/4/2015

WATER RIGHT NO. 13-742

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSEPH SWENSEN 685 BENCH LAGO RD GRACE, ID 83241 (208)425-3305

Priority Date: 05/01/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MIDDLE FORK TROUT CREEK	TROUT CREEK

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

Location of Point(s) of Diversion:

TROUT CREEK||Sec. 15|Township 11S|Range 41E|CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
-----------------	--------------	----------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------

11S	41E	9																	
-----	-----	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Conditions of Approval:

1. P/U, AC IRR=35. P/D INCOMPLETE LEGAL: CENTER SEC. 15, T11S R41E.

Dates:**Licensed Date:****Decreed Date:** 07/14/1920**Enlargement Use Priority Date:****Enlargement Statute Priority Date:****Water Supply Bank Enrollment Date Accepted:****Water Supply Bank Enrollment Date Removed:****Application Received Date:****Protest Deadline Date:****Number of Protests:** 0**Other Information:****State or Federal:****Owner Name Connector:****Water District Number:****Generic Max Rate per Acre:****Generic Max Volume per Acre:****Civil Case Number:****Old Case Number:****Decree Plaintiff:****Decree Defendant:****Swan Falls Trust or Nontrust:****Swan Falls Dismissed:****DLE Act Number:****Cary Act Number:****Mitigation Plan:** FalseClose

McKenzie & McKenzie, P.A.
102 North State, Ste. 1
Preston, ID 83263

Instrument # 194877

CARIBOU COUNTY

2-17-2015 12:22:24 PM No. of Pages: 6

Recorded for: MCKENZIE & MCKENZIE

DENISE HORSLEY

Ex-Officio Recorder Deputy, 25.00

Index to: QUITCLAIM DEED

QUITCLAIM DEED

FOR VALUE RECEIVED

MATTHEW COLLINS, a married man dealing with his sole and separate property; and
DENNIS COLLINS, a married man dealing with his sole and separate property,

do hereby convey, release, remise and forever quit claim unto

MATTHEW COLLINS and DENNIS COLLINS, Co-Trustees, and their successors, in trust,
of the COLLINS CHILDREN TRUST, dated February 6th, 2015,

whose current address is: c/o Emmett and Virginia Collins
494 Bench Lago Rd
Grace, ID 83241

the following described premises, located in Caribou, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF
BY REFERENCE

This Grant is intended to convey to the Grantees all right, title and interest of the
Grantors except that a life estate in the described premises has been reserved to
Emmett Herbert Collins and Clara Virginia Collins, with the absolute and
unhampered right to occupy and possess said property for the remainder of their
natural lives.

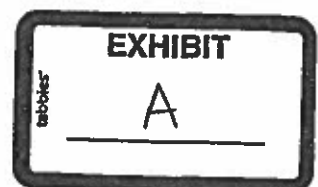
Except as to the life estate reserved above, the successor trustees have full rights to sell or
encumber the property herein set forth.

In the event a vacancy exists, for any reason, as to either of the co-trustees, JENNIFER
HARTSELL shall act as substitute co-trustee. If a further vacancy exists, the remainder
or survivor shall act as sole-trustee. The transfer of trusteeship may be evidenced by a
Notice of Designation of Trustees or a Quitclaim Deed from the existing trustee, or a
resignation or death certificate of the existing trustee, filed of record.

DATED this 6 day of February, 2015.

Matthew Collins
MATTHEW COLLINS

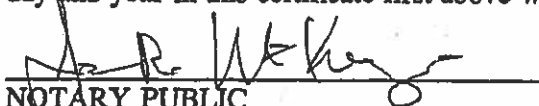
Dennis Collins
DENNIS COLLINS



STATE OF IDAHO)
) ss.
COUNTY OF FRANKLIN)

On this 6th day of February, 2015, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared MATTHEW COLLINS and DENNIS COLLINS, known 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, the day and year in this certificate first above written.


NOTARY PUBLIC

Residing at: Preston, Idaho

My Commission Expires: 11-21-2015

JAY R. MCKENZIE
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT "A"

The following described premises, located in Caribou County, Idaho, to-wit:

Township 11 South, Range 41 East of the Boise Meridian:

Section 3: Lot 7
Section 4: SE1/4SE1/4
Section 9: N1/2NE1/2

LESS AND EXCEPTING the following described property:

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being a portion of the lands described in Quitclaim Deed Instrument No. 187528 as recorded in the records of Caribou County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being marked and witnessed by a 5/8" rebar with cap tagged, "GVS PLS 9169" per that Corner Perpetuation and Filing record Instrument No. 193445 in the records of Caribou County, Idaho, the same being North 88°00'34" West a distance of 2647.90 feet from the Northeast corner of said Section; Thence South 88°00'34" East along the North boundary line of said Section for a distance of 22.13 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set at a fence corner, the True Point of Beginning;
Thence continuing South 88°00'34" East along said boundary line for a distance of 643.77 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169";
Thence South 07°51'04" West for a distance of 555.19 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169";
Thence South 32°54'49" West for a distance of 470.38 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Northerly right of way boundary line of the Bench-Lago Road, the same being a point on a 457.69 foot radius nontangent curve whose center bears North 38°49'03" East;
Thence Northwesterly along said curve to the right through a central angle of 12°46'58" for an arc distance of 102.11 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the point of tangency (Chd Brs N 44°47'28" W 101.90");
Thence North 38°23'59" West for a distance of 454.80 feet along said right of way boundary line, parallel with and 25.00 feet perpendicular from the centerline of said road, to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the intersection of said right of way boundary line with the Easterly right of way boundary line of said road;
Thence North 03°18'30" East for a distance of 320.49 feet along said right of way boundary line to a 5/8" rebar with cap tagged, "GVS PLS 9169";
Thence North 06°13'29" East for a distance of 219.83 feet to the True Point of Beginning.

ALSO,

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being a portion of the lands described in Quitclaim Deed Instrument No. 187528 as recorded in the records of Caribou County, Idaho, more particularly described as follows:

BEGINNING at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being marked and witnessed by a 5/8" rebar with cap tagged, "GVS PLS 9169" per that Corner Perpetuation and Filing record Instrument No. 193447 in the records of Caribou County, Idaho, the same being South 00°27'01" West a distance of 1363.11 feet from the Northwest corner of said Northwest Quarter of the Northeast Quarter; Thence North 89°08'41" West along the South boundary line of the Northeast Quarter of the Northwest Quarter of said Section for a distance of 4.30 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Easterly right of way boundary line of the Bench-Lago Road;
Thence along said right of way boundary line, parallel with and 25.00 feet perpendicular distant from the centerline of said road, for the following Three (3) courses marked and witnessed by a set 5/8" rebar with cap tagged, "GVS PLS 9169":

1. Thence North $10^{\circ}39'01''$ West for a distance of 55.66 feet to the beginning of a 1572.02 foot radius tangent curve concave easterly;
 2. Thence Northerly along said curve to the right through a central angle of $13^{\circ}51'08''$ for an arc distance of 380.06 feet to the point of tangency (Chd Brs N $03^{\circ}43'27''$ W 379.14');
 3. Thence North $03^{\circ}12'07''$ East for a distance of 325.28 feet to a point on the intersection of said right of way boundary line with the Southerly right of way boundary line of said road;
 Thence South $38^{\circ}23'59''$ East for a distance of 410.29 feet along said right of way boundary line to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the beginning of a 507.69 foot radius tangent curve concave Northeasterly;
 Thence Southeasterly along said curve to the left through a central angle of $27^{\circ}46'35''$ for an arc distance of 246.12 feet (Chd Brs S $52^{\circ}17'17''$ E 243.72');
 Thence leaving said right of way boundary line and coursing South $09^{\circ}49'56''$ West for a distance of 154.46 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169";
 Thence South $00^{\circ}11'48''$ West for a distance of 141.03 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the South boundary line of said Northwest Quarter of the Northeast Quarter;
 Thence North $89^{\circ}08'41''$ West for a distance of 399.79 feet along said boundary line to the Point of Beginning.

EXCEPT THEREFROM:

A parcel of land located in the Northeast Quarter of the Northwest Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being a portion of the lands described in Warranty Deed Instrument No. 161311 as recorded in the records of Caribou County, Idaho, more particularly described as follows:

BEGINNING at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being marked and witnessed by a 5/8" rebar with cap tagged, "GVS PLS 9169" per that Corner Perpetuation and Filing record Instrument No. 193447 in the records of Caribou County, Idaho, the same being South $00^{\circ}27'01''$ West a distance of 1363.11 feet from the Northwest corner of said Northwest Quarter of the Northeast Quarter; Thence North $89^{\circ}08'41''$ West along the South boundary line of the Northeast Quarter of the Northwest Quarter of said Section for a distance of 4.30 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Easterly right of way boundary line of the Bench-Lago Road;
 Thence along said right of way boundary line, parallel with and 25.00 feet perpendicular distant from the centerline of said road, for the following Three (3) courses marked and witnessed by a set 5/8" rebar with cap tagged, "GVS PLS 9169":

1. Thence North $10^{\circ}39'01''$ West for a distance of 55.66 feet to the beginning of a 1572.02 foot radius tangent curve concave easterly;
 2. Thence northerly along said curve to the right through a central angle of $13^{\circ}51'08''$ for an arc distance of 380.06 feet to the point of tangency (Chd Brs N $03^{\circ}43'27''$ W 379.14');
 3. Thence North $03^{\circ}12'07''$ East for a distance of 325.28 feet to a point on the intersection of said right of way boundary line with the Southerly right of way boundary line of said road;
 Thence North $09^{\circ}55'31''$ East for a distance of 66.94 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on a right of way fence line;
 Thence North $03^{\circ}18'30''$ East for a distance of 320.49 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the West boundary line said Northwest Quarter of the Northeast Quarter;
 Thence South $00^{\circ}27'01''$ West for a distance of 1143.80 feet along said boundary line to the True Point of Beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

PARCEL 3

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being a portion of the lands described in Quitclaim Deed instrument No. 187528 as recorded in the records of Caribou County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being marked and witnessed by a 5/8" rebar with cap tagged, "GVS PLS 9169" per that Corner Perpetuation and Filing record instrument No. 193446 in the records of Caribou County, Idaho, the same being North 00°03'40" East a distance of 1336.97 feet from the Southeast corner of said Northwest Quarter of the Northeast Quarter; Thence South 00°03'40" West a distance of 804.62 feet along the East boundary line of the Northeast Quarter of the Northwest Quarter of said Section to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Northerly right of way boundary line of the Bench-Lago Road;

Thence along said right of way boundary line, parallel with and 25.00 feet perpendicular distant from the centerline of said road, for the following Six (6) courses:

1. Thence South 42°45'18" West for a distance of 156.71 feet to the beginning of a 165.08 foot radius tangent curve concave Northwesterly;
2. Thence Southwesterly along said curve to the right through a central angle of 49°41'08" for an arc distance of 143.15 feet to the point of tangency (Chd Brs S 67°35'51" W 138.71');;
3. Thence North 87°33'36" West for a distance of 64.98 feet to the beginning of a 475.72 foot radius tangent curve concave Southerly;
4. Thence Westerly along said curve to the left through a central angle of 12°39'37" for an arc distance of 105.12 feet to the point of tangency (Chd Brs S 86°06'36" W 104.80');;
5. Thence South 79°46'48" West for a distance of 219.38 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the beginning of a 457.69 foot radius tangent curve concave Northeasterly;
6. Thence Northwesterly along said curve to the right through a central angle of 49°02'15" for an arc distance of 391.72 feet to the point of tangency (Chd Brs N 75°42'05" 379.87') to a 5/8" rebar with cap tagged, "GVS PLS 9169";;

Thence leaving said road and coursing North 32°54'49" East for a distance of 470.38 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169";;

Thence North 07°51'04" East for a distance of 555.19 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the Northerly boundary line of said Northwest Quarter of the Northeast Quarter;

Thence South 88°00'34" East for a distance of 658.05 feet to the Point of Beginning. Contains 17.6 acres of land.

PARCEL 4

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being a portion of the lands described in Quitclaim Deed instrument No. 187528 as recorded in the records of Caribou County, Idaho, more particularly described as follows:

BEGINNING at the Southeast corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 11 South, Range 41 East, Boise Meridian, the same being marked and witnessed by a 5/8" rebar with cap tagged, "GVS PLS 9169" per that Corner Perpetuation and Filing record instrument No. 193448 in the records of Caribou County, Idaho, the same being South 00°03'40" West a distance of 1338.97 feet from the Northeast corner of said Northwest Quarter of the Northeast Quarter; Thence North 89°08'41" West for a distance of 832.79 feet along the South boundary line of said Northwest Quarter of the Northeast Quarter to a 5/8" rebar with cap tagged, "GVS PLS 9169";

Thence North 00°11'48" East for a distance of 141.03 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169";

Thence North 09°49'56" East for a distance of 154.46 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the South right of way boundary line of the Bench-Lago Road, the same being a point on a 507.69 foot radius nontangent curve whose center bears North 23°49'26" East;

Thence along said right of way boundary line, parallel with and 25.00 feet perpendicular distant from the centerline of said road, for the following six (6) courses:

1. Thence Easterly along said curve to the left through a central angle of 34°02'38" for an arc distance of 301.66 feet to the point of tangency (Chd Brs S 83°11'53" E 297.24");
2. Thence North 79°46'86" East for a distance of 219.38 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the beginning of a 425.72 foot radius tangent curve concave Southerly;
3. Thence Easterly along said curve to the right through a central angle of 12°38'37" for an arc distance of 94.07 feet to the point of tangency (Chd Brs N 86°06'36" E 93.88");
4. Thence South 87°33'36" East for a distance of 84.98 feet to the beginning of a 215.08 foot radius tangent curve concave Northwesterly;
5. Thence Northeasterly along said curve to the left through a central angle of 49°41'06" for an arc distance of 188.61 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the point of tangency (Chd Brs N 67°35'51" E 180.72");

6. Thence North 42°45'18" East for a distance of 102.52 feet to a 5/8" rebar with cap tagged, "GVS PLS 9169" set on the East boundary line of said Northeast Quarter of the Northwest Quarter;

Thence South 00°03'40" West a distance of 458.62 feet along said boundary line to the Point of Beginning.

Contains 6.4 Acres of land.

RELEASE OF CLAIM TO WATER RIGHT NO. 13-742

The Emmett & Virginia Collins Family Trust (the "Trust") owns a portion of the property described in Exhibit A attached hereto (the "Property"). We, Emmett Herbert Collins and Clara Virginia Collins, Trustees of the Trust acknowledge that the place of use of Water Right No. 13-742 (the "Water Right") as presently shown in the records of the Idaho Department of Water Resources (IDWR) encompasses a portion of the Property. However, we acknowledge the Water Right has not historically been used on the Property, and we release any claim of ownership to the Water Right.

Emmett Herbert Collins, Trustee

Emmett Herbert Collins, Trustee of the Emmett
Herbert Collins and Clara Virginia Collins

3-30-16

Date

Clara Virginia Collins, Trustee

Clara Virginia Collins, Trustee of the Emmett
Herbert Collins and Clara Virginia Collins

3-30-16

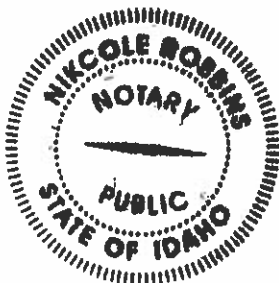
Date

STATE OF IDAHO)
 : ss
County of)

On this 30 day of March, 2016, before me, the undersigned Notary Public in and for said State, personally appeared Emmett Herbert Collins and Clara Virginia Collins, Trustees of the Emmett & Virginia Collins Family Trust, and known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they signed the same.

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

(SEAL)



Nikole Robbins

NOTARY PUBLIC FOR IDAHO

Residing at: 299 River Rd. Caribou

My Commission Expires: 05/10/18

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/4/2015

WATER RIGHT NO. 13-742

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSEPH SWENSEN 685 BENCH LAGO RD GRACE, ID 83241 (208)425-3305

Priority Date: 05/01/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MIDDLE FORK TROUT CREEK	TROUT CREEK

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

Location of Point(s) of Diversion:

TROUT CREEK||Sec. 15|Township 11S|Range 41E|CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
-----------------	--------------	----------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------

11S | 41E | 9 | | | | | | | | | | | |

Conditions of Approval:

1. P/U, AC IRR=35. P/D INCOMPLETE LEGAL: CENTER SEC. 15, T11S R41E.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Instrument # 193873

CARIBOU COUNTY

7-18-2014 03:09:26 No. of Pages: 1

Recorded for : FIRST AMERICAN TITLE COMPANY

VEDA MASCARENAS

Fee: 10.00

Ex-Officio Recorder Deputy

Index to: CORRECTION DEED

CORRECTION QUIT-CLAIM DEED

FOR VALUE RECEIVED,

Emmett Herbert Collins aka Emmett H. Collins and Clara Virginia Collins aka Virginia Collins, husband and wife

of Grace, County of Caribou, State of Idaho, do hereby convey, release, remise and forever quit claim unto

Emmett Herbert Collins and Clara Virginia Collins, Trustee of The Emmett & Virginia Collins Family Trust, dated July 15, 2011

of Grace, County of Caribou, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, the following described premises, to-wit:

Caribou County, Idaho:

Township 11 South, Range 41 East of the Boise Meridian:

Section 9: N $\frac{1}{2}$ NE $\frac{1}{4}$.

This deed is given to correct the legal description in Quit Claim Deed, Instrument No. 187528, records of Caribou County, Idaho.

together with their appurtenances.

DATED: July 3, 2014

Emmett Herbert Collins
Emmett Herbert Collins

Clara Virginia Collins
Clara Virginia Collins

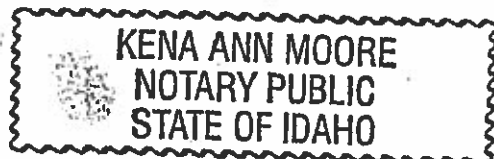
STATE OF IDAHO)

: ss.

County of Caribou)

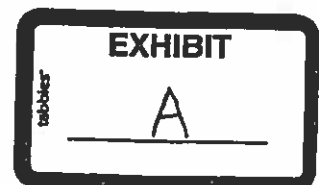
On this 11th day of July, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Emmett Herbert Collins and Clara Virginia Collins, known to me (or proved to me on the oath of _____) to be the persons whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Kena Ann Moore
NOTARY PUBLIC for the State of IDAHO
Residing at: Soda Springs, Idaho
Commission expires: 8/15/15

81133



RELEASE OF CLAIM TO WATER RIGHT NO. 13-742

We, Dennis Collins and Cassie Collins, husband and wife, own property pursuant to the deeds attached hereto as Exhibit A and Exhibit B (the "Property"). We acknowledge that the place of use of Water Right No. 13-742 (the "Water Right") as presently shown in the records of the Idaho Department of Water Resources (IDWR) encompasses a portion of the Property. However, we acknowledge the Water Right has not historically been used on the Property, and we release any claim of ownership to the Water Right.

Dennis Collins
Dennis Collins

3-26-16
Date

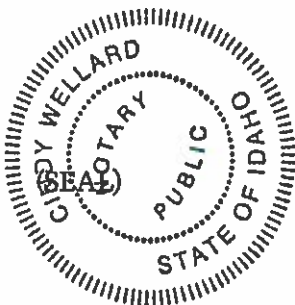
Cassie Collins
Cassie Collins

3-26-16
Date

STATE OF IDAHO)
 : ss
County of Bannock)

On this 26 day of March, 2016, before me, the undersigned Notary Public in and for said State, personally appeared Dennis Collins and Cassie Collins, and known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they signed the same.

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



Cory Wellard
NOTARY PUBLIC FOR IDAHO
Residing at: 4753 Yellow
My Commission Expires: 10/19/21

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/4/2015

WATER RIGHT NO. 13-742

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSEPH SWENSEN 685 BENCH LAGO RD GRACE, ID 83241 (208)425-3305

Priority Date: 05/01/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MIDDLE FORK TROUT CREEK	TROUT CREEK

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

Location of Point(s) of Diversion:

TROUT CREEK|Sec. 15|Township 11S|Range 41E|CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>

11S | 41E | 9 | | | | | | | | | |

Conditions of Approval:

1. P/U, AC IRR=35. P/D INCOMPLETE LEGAL: CENTER SEC. 15, T11S R41E.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Instrument # 195931

CARIBOU COUNTY, IDAHO

09-08-2016 16:59:30 No. of Pages: 1

Recorded for: ALLIANCE TITLE - POCA TELLO OFFICE

Denise Horsley Fee: \$10.00

Ex-Officio Recorder Deputy Denise Horsley

Index to: QUITCLAIM DEED

QUITCLAIM DEED

ATEC ORDER NO.: 285168

FOR VALUE RECEIVED,

Kalli Collins, spouse of Matthew Collins

do(es) hereby convey, release, remise and forever quitclaim unto

Dennis Collins and Cassie Collins, husband and wife

whose current address is: 554 East 2nd South, Grace, Id 83241

the following described premises:

The South 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 9, Township 11 South, Range 41 East, Boise Meridian, Caribou County, Idaho.

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

Dated: Aug. Sept 1.

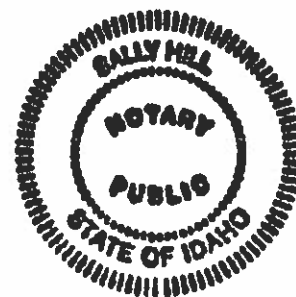
Kalli Collins
Kalli Collins

State of Idaho, ss
County of Caribou

On this 1st day of Sept 2015, before me,
the undersigned, a Notary Public in and for said state, personally
appeared Kalli Collins, 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 she
executed same.

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

Sally Hill
Notary Public for the State of Idaho
Residing at: Boise Springs
Commission Expires: 7/19/2016



EXHIBIT

A

Instrument # 195929

CARIBOU COUNTY, IDAHO

09-08-2015 18:59:30 No. of Pages: 1

Recorded for: ALLIANCE TITLE - POCATELLO OFFICE

Denise Horsley Fee: \$10.00

Ex-Officio Recorder Deputy Denise Horsley
Index to: QUITCLAIM DEED

QUITCLAIM DEED

ATEC ORDER NO.: 285168

FOR VALUE RECEIVED,

Emmett Herbert Collins and Clara Virginia Collins, husband and wife

do(es) hereby convey, release, remise and forever quitclaim unto

Dennis Collins and Cassie Collins, husband and wife

whose current address is: 554 East 2nd South, Grace, Id 83241

the following described premises:

The South 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 9, Township 11 South,
Range 41 East, Boise Meridian, Caribou County, Idaho.

This deed is being executed to relinquish the life estate of Grantors in said property as
reserved in Deed Instrument No. 194877

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

Dated: 8/31/15

Emmett Herbert Collins
Emmett Herbert Collins

Clara Virginia Collins
Clara Virginia Collins

State of Idaho) ss
County of Caribou)

On this 31st day of Aug, 2015, before me,
the undersigned, a Notary Public in and for said state, personally
appeared Emmett Herbert Collins and Clara Virginia Collins, known or identified
to me to be the person(s) whose name(s) are subscribed to the within Instrument
and acknowledged to me that he/she/they executed same.

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

Sally Hill
Notary Public for the State of Idaho
Residing at: Soda Springs
Commission Expires: 11/9/2016



EXHIBIT

B

RELEASE OF CLAIM TO WATER RIGHT NO. 13-742

I, Joseph Frank Swenson, own the property described in Exhibit A attached hereto (the "Property"). I acknowledge that the place of use of Water Right No. 13-742 (the "Water Right") as presently shown in the records of the Idaho Department of Water Resources (IDWR) encompasses a portion of the Property. However, I acknowledge the Water Right has not historically been used on the Property, and I release any claim of ownership to the Water Right.

Joseph Frank Swenson
Joseph Frank Swenson
3/25/16
Date

STATE OF IDAHO)
 : ss
County of)

On this 25 day of March, 2016, before me, the undersigned Notary Public in and for said State, personally appeared Joseph Frank Swenson, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he signed the same.

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



Shelley Reeves
NOTARY PUBLIC FOR IDAHO
Residing at: Grain, ID
My Commission Expires: 3/19/21

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/4/2015

WATER RIGHT NO. 13-742

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSEPH SWENSEN 685 BENCH LAGO RD GRACE, ID 83241 (208)425-3305

Priority Date: 05/01/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MIDDLE FORK TROUT CREEK	TROUT CREEK

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

Location of Point(s) of Diversion:

TROUT CREEK|Sec. 15|Township 11S|Range 41E|CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>

11S | 41E | 9 | | | | | | | | | | | | |

Conditions of Approval:

1. ||P/U, AC IRR=35. P/D INCOMPLETE LEGAL: CENTER SEC. 15, T11S R41E.

Dates:

Licensed Date:

Decreed Date: 07/14/1920

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Instrument # 193723
CARIBOU COUNTY
6-17-2014 04:28:37 No. of Pages: 2
Recorded for : JOE SWENSON
VEDA MASCARENAS
Ex-Officio Recorder Deputy
Index to: QUITCLAIM DEED
Fee: 43.00

QUITCLAIM DEED

FOR VALUE RECEIVED,

Joseph Frank Swenson, as personal representative of the Estate of Lavera S. Henderson, Deceased

do(es) hereby convey, release, remise and forever quitclaim unto

Joseph Frank Swenson, an unmarried person

whose current address is:

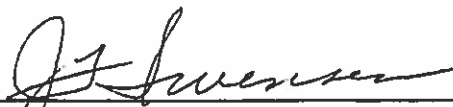
685 Bench Lago Rd.
Grace, ID 83241

the following described premises:

See attached Exhibit "A"

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

Dated: June 17, 2014

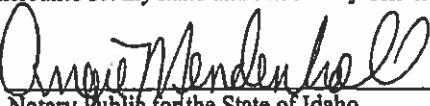


Joseph Frank Swenson

State of Idaho }
 } ss.
County of Caribou }

On this 17th day of June, in the year 2014, before me, the undersigned, a Notary Public in and for said state, personally appeared Joseph Frank Swenson known or identified to me to be the person whose name is subscribed to the foregoing instrument as Personal Representative of the estate of Lavera S. Henderson, and acknowledged to me that he executed the same as Personal Representative.

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



Notary Public for the State of Idaho
Residing at: Grace
Commission Expires: 01-20-18

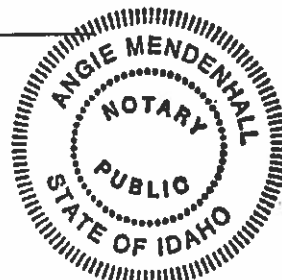




EXHIBIT "A"

Township 11 South, Range 40 East of the Boise Meridian

Section 15: N1/2SE1/4, EXCEPT THEREFROM, Beginning at the Southwest corner of the N1/2SE1/4 of said Section 15, and running
thence North 330 feet; thence East 330 feet;
thence South 330 feet, thence West 330 feet
to the point of beginning.

Township 11 South, Range 41 East of the Boise Meridian

Section 9: SW1/4NW1/4

Section 19: S1/2 of Lot 1, N1/2 of Lot 2, EXCEPT THEREFROM, Beginning at a Point 1573 feet South of the Northeast corner of Section 24, township 11 South, Range 40 East of the Boise Meridian, and running
thence East 150 feet; thence South 180 feet;
thence West 150 feet; thence North 180 feet
to the point of beginning, being a tract in Lot 2, of said Section 19,

Attachment 10c (CFS transfer calculation)

	A	B	C	D	E	F	G	H	I	J	K
1	Attachment 10c (CFS transfer calculation)										
2											
3		NEW Permissible Place of Use Acre Total:	179								
4	Water Right No.	Permissible Place of Use Acres	Actual Place of Use Acres	CFS	CFS/acre	Total acres transferring	Explanation	Total CFS transferring			
5	13-776	160	160	0.3	0.001875	68.55865922	This keeps the same ratio as the old POU (42.8% of new POU is entirely new, so 42.8 of the old right should be considered transferred)	0.128547486	percent of land above old place of use	0.428492	
6	13-777	160	160	1.3	0.008125	68.55865922	This keeps the same ratio as the old POU (42.8% of new POU is entirely new, so 42.8 of the old right should be considered transferred)	0.557039106	percent of land above old place of use	0.428492	
7	13-778	160	160	1.6	0.01	68.55865922	This keeps the same ratio as the old POU (42.8% of new POU is entirely new, so 42.8 of the old right should be considered transferred)	0.685586592	percent of land above old place of use	0.428492	
8	13-726	160	125	0.7	0.0056	53.56145251	This keeps the same ratio as the old POU (42.8% of new POU is entirely new, so 42.8 of the old right should be considered transferred)	0.299944134	percent of land above old place of use	0.428492	
9											
10	13-727	160	35	1.8	0.051429	20.0027933	This keeps the same ratio as the old POU (57.2% of new POU is entirely new, so 42.8 of the old right should be considered transferred)	1.028715084	percent of land below old place of use	0.571508	
11											
12	13-742	640	35	0.7	0.02	0	35 acres of actual POU should be within 35 acres of new permissible POU (no real transfer; just a shrinking of POU)	0			
13											
14							TOTAL CFS TRANSFERRED	2.699832402			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 15 2016

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

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?
13-776	Yes ☒	Yes ☐	13-742	Yes ☒	Yes ☐
13-777	Yes ☒	Yes ☐		Yes ☐	Yes ☐
13-778	Yes ☒	Yes ☐		Yes ☐	Yes ☐
13-726	Yes ☒	Yes ☐		Yes ☐	Yes ☐
13-727	Yes ☒	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Merintha E. Hansen and/or Joseph Swensen
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Rim Rock Ranch, LLC; Alan and Diane Hubbard; Shane Hubbard
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 426 Bench Lago Road Grace Idaho 83201
Mailing address City State ZIP
- 208-427-6635 alan.hubbard@agrium.com
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: see the deeds attached to Transfer App
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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: *Jon Ballstout* Attorney for Claimants Aug. 11, 2016
Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *jc* Date 8/15/16 Receipt No. 8042362 Receipt Amt. 600

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 _____

811 33