

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79930

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

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.

MAR 25 2015
Department of Water Resources
Eastern Region

Name of Applicant(s) Thompson Brothers LLC

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAR 25 2015

Department of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1RECEIVED
SEP 11 2015
Department of Water Resources
Eastern RegionName of Applicant(s) Thompson Brothers LLCPhone (208) 684-4254Mailing address 493 S 1200 W Pingree, Idaho 83262

Email _____

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

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

☒ No Representative

Name of Representative _____

Phone _____

Mailing address _____

Email _____

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

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

Signature of Applicant or Authorized Representative

Ron Thompson
Paul Thompson

Print Name and Title if applicable

Date

3-25-2015

Signature of Applicant or Authorized Representative

Paul Thompson
Paul Thompson

Print Name and Title if applicable

Date

Sept 10, 2015

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2.
Change place of use to reflect correct number of irrigated acres allowed by groundwater rights 35-7609 and 35-10322.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 25 2015

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Thompson Brothers LLC Phone (208) 684-4254
Mailing address 493 S 1200 W Pingree, Idaho 83262 Email _____

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

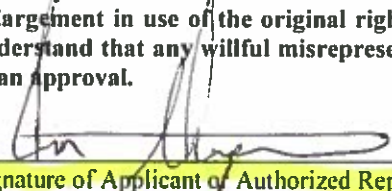
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

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

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


Signature of Applicant or Authorized Representative

Paul Thompson
Print Name and Title if applicable

3-25-2015
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

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

☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
Change place of use to reflect correct number of irrigated acres allowed by groundwater rights 35-7609 and 35-10322.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-7609	1.88 cfs	Irrigation	4/01 to 11/01	Ground water
☒ ☐	35-10322	0.18 cfs	Irrigation	4/01 to 10/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.88 cfs and/or 416 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.34 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

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

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	32E	10	28	29	25	22													104
Total Acres (for irrigation use)																			104

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:

- b. Who owns the property at the point(s) of diversion? Thompson Brothers LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

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

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

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: Surface water will be used for irrigation.

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

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

Yes No

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

If yes, describe:

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

1/21/2015

WATER RIGHT NO. 35-7609

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARIE WHYTE
Current Owner	W LA MAR WHYTE PO BOX 107 SPRINGFIELD, ID 83227 (208)328-2262

Priority Date: 05/06/1976

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	1.88 CFS	
Total Diversion			1.88 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSENE|Sec. 10|Township 04S|Range 32E|BINGHAM County

IRRIGATION Use:

Acre Limit: 94

70930 4

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04S	32E	10		NENE	10		NWNE	28		SWNE	37		SENE	29

Total Acres: 104

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-10322 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.88 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 416 AF.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 94 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-10322 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 104 ACRES IN A SINGLE IRRIGATION SEASON.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. E02 USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN SPRINGFIELD CANAL CO.
6. RIGHT NO. 35-10322 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 35-10322 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 03/04/2002

Permit Proof Due Date: 6/1/1981

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 6/11/1976

Permit Moratorium Expiration Date:

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:

79930

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

1/21/2015

WATER RIGHT NO. 35-10322

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARIE WHYTE
Current Owner	W LA MAR WHYTE
	PO BOX 107
	SPRINGFIELD, ID 83227
	(208)328-2262

Priority Date: 04/01/1980

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.18 CFS	
Total Diversion			0.18 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSENE|Sec. 10|Township 04S|Range 32E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

79930

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04S	32E	10		NENE	10		NWNE	28		SWNE	37		SENE	29

Total Acres: 104

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-07609 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.88 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 416 AF.
3. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
4. USE OF THIS RIGHT WITH RIGHT NO. 35-07609 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 104 ACRES IN A SINGLE IRRIGATION SEASON.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-07609 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. E02 USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN SPRINGFIELD CANAL CO.
7. RIGHT NO. 35-07609 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. THIS RIGHT IS FOR AN ENLARGEMENT OF 10 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates:

Licensed Date:

Decreed Date: 03/04/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

79930

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:

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MAR 25 2015

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MAR 25 2015

Department of Water Resources
Eastern Region

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

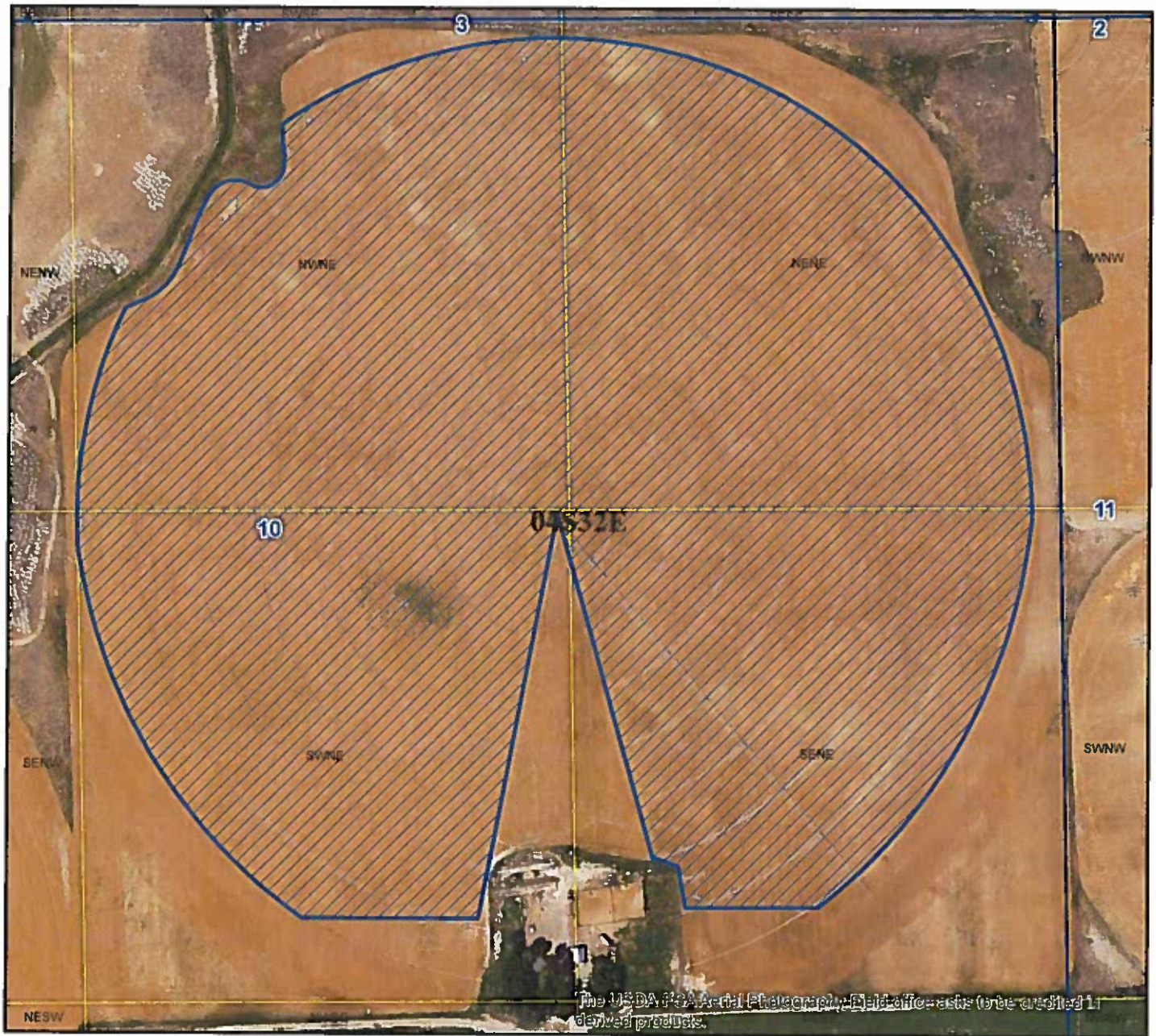
Received by HB Date 3/25/15 Preliminary check by _____ Date _____

Fee paid ~~600~~ \$550 Date 3/25/15 Received by SC Receipt # F040814

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

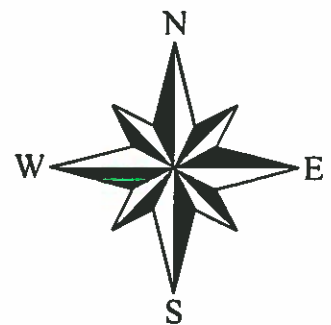
Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Proposed Water Use



Legend

-  35-7609 & 35-10322 Proposed Place of Use
-  Township/Range
-  Sections
-  QQ



0 0.075 0.15 0.3 Miles

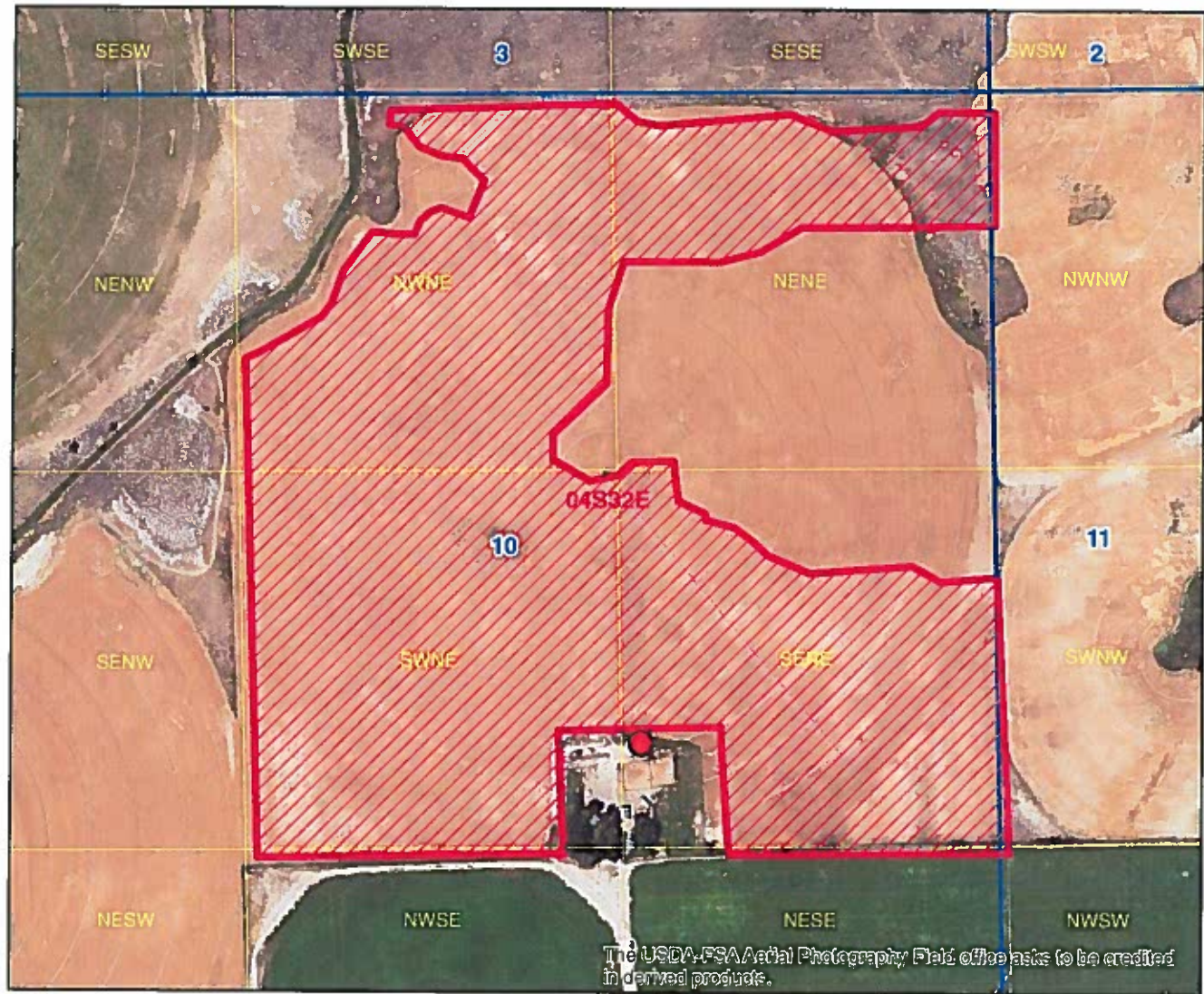
79930

Imagery: 2013 NAIP

Idaho Department of Water Resources

Map Prepared by Heather Bohac, March 5, 2015

Current Place of Use

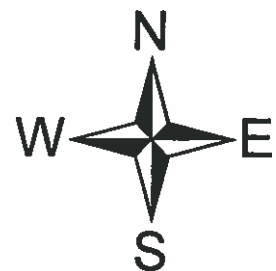


The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

0 0.05 0.1 0.2 0.3 0.4 Miles

Legend

- WR 35-7069 & 35-10322 POD
- ▨ WR 35-7609 & 35-10322 POU
- ▭ Township/Range
- ▭ Sections
- ▭ QQ



No. W 4176	Due no later than Jun 30, 2015 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. THOMPSON BROTHERS, L.L.C. PAUL THOMPSON 493 S 1200 W PINGREE ID 83262		PAUL THOMPSON 493 S 1200 W PINGREE ID 83262			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MANAGER	PAUL THOMPSON	749 W HWY 39	BLACKFOOT	ID		83221
MANAGER	KURT THOMPSON	210 S. 585 WEST	BLACKFOOT	ID	USA	83221
MANAGER	CHRIS THOMPSON	561 W. 75 S.	BLACKFOOT	ID	USA	83221
5. Organized Under the Laws of: ID W 4176		6. Annual Report must be signed.* Signature: Paul Thompson Name (type or print): Paul Thompson Date: 04/24/2015 Title: Agent				
Processed 04/24/2015		* Electronically provided signatures are accepted as original signatures.				

79930

524198

 BINGHAM COUNTY RECORDER
 BLACKFOOT, IDAHO
 FEE 9.00 DEP ✓

2003 MAR 21 PM 4:56

**ASSIGNMENT AND CONVEYANCE
OF
CERTIFICATE OF SALE**

RECORDED AT THE REQUEST OF

FIRST AMERICAN TITLE COMPANY

GRANTOR, WASHINGTON MUTUAL BANK, formerly known as Western Bank, a division of Washington Mutual Bank, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby assign, bargain, sell and convey unto THOMPSON BROTHERS, LLC, an Idaho limited liability company, whose current address is 1200 West 493 South, Pingree, Idaho 83262, as GRANTEE, and to Grantee's successors and assigns forever, all remaining right, title and interest of Grantor in and to those certain Certificates of Sale executed by the Sheriff of Bingham County, Idaho, recorded November 29, 2002, as Instrument No. 519753 and Instrument No. 519754, records of Bingham County, State of Idaho, and all right, title and interest which Grantor now has or may hereafter acquire in and to that certain real property situated in Bingham County, State of Idaho, which is more particularly described on EXHIBIT "A" attached hereto and made a part hereof by this reference.

TOGETHER WITH all water, water rights and water shares used upon or appurtenant to said real property, however evidenced, including, but not limited to, Water Stock Certificate Nos. 5191, 5388 and 5389 of the Aberdeen/Springfield Canal Company, and Water Right Nos. 35-7680, 35-7609 and 35-10322 issued by the Idaho Department of Water Resources.

TOGETHER ALSO WITH any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

[SIGNATURE AND ACKNOWLEDGMENT ON FOLLOWING PAGE]

79930

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument
this 13 day of March, 2003.

WASHINGTON MUTUAL:

WASHINGTON MUTUAL BANK, formerly
known as Western Bank, a division of
Washington Mutual Bank

By: J. Bedenbender

Name: Jerry Bedenbender

Its: Vice President

(a duly authorized officer)

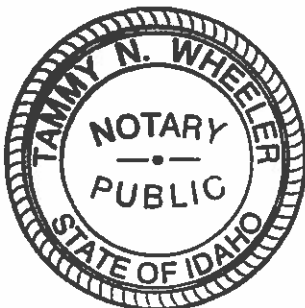
STATE OF IDAHO)

) ss.

County of)

On this 13th day of March, 2003, before me, Tammy Wheeler,
a Notary Public in and for said State, personally appeared Jerry Bedenbender,
known to me to be the Vice President of WASHINGTON MUTUAL BANK,
formerly known as Western Bank, a division of Washington Mutual Bank, the financial
institution that executed the within instrument or the person who executed the instrument on
behalf of said financial institution, and acknowledged to me that such financial institution
executed the same.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this
certificate first above written.



Tammy N. Wheeler

Notary Public for the State of Idaho

Residing at Boise, Id

My commission expires 8/27/03

EXHIBIT "A"

Legal Description of Real Property

TRACT A:

Township 4 South, Range 32 E.B.M., Bingham County, Idaho

Section 10: NE1/4

EXCEPTING THEREFROM: Beginning at a point that is N. 89°39'00" W. 1326.85 feet along the S. line of said Section 10 from the SE corner of Section 10, and N. 89°39'00" W. 34.75 feet along the said Section line; and N. 01°50'35" W. 2644.55 feet to the East-West centerline of said Section and the true point of beginning of this exception, running thence W. 180 feet; thence N. 184 feet; thence E. 496 feet; thence S. 184 feet; thence W. to the point of beginning. ALSO a road right-of-way described as follows: Commencing at the SE corner of the SW1/4SE1/4 of said Section 10, thence N. 160 rods; thence W. 11/2 rods; thence S. 160 rods; thence E. 11/2 rods to the place of beginning, EXCEPTING THEREFROM: Highway right-of-way along the S. part of said Road. ALSO: A portion of the W1/2SE1/4 of said Section 10, Township 4 South, Range 32 E.B.M., Bingham County, Idaho described as: Beginning at a point that is N. 89°39'00" W. 1326.85 feet along the S. line of said Section 10 from the SE corner of the Section 10; and running thence N. 89°39'00" W. 34.75 feet along the said Section line; thence N. 01°50'35" W. 2644.55 feet to the East-West centerline of said Section 10; thence N. 184 feet, through a farm yard, thence E. 34.75 feet; thence S. 184 feet, more or less, to the East-West centerline of said Section 10; thence S. 01°50'35" E. 2644.50 feet to the point of beginning, EXCEPTING THEREFROM: Commencing at the SE corner of the SW1/4SE1/4 of said Section 10, thence N. 160 rods; thence W. 11/2 rods; thence S. 160 rods; thence E. 11/2 rods the place of beginning.

ALSO EXCEPTING THEREFROM: Part of the S1/2NE1/4 of said Section 10, Township 4 South, Range 32 E.B.M., Bingham County, Idaho, described as: Beginning at a point that is N. 89°39'00" W. 1142.94 feet along the section line and N. 00°15'59" E. 2827.08 feet to the NE corner of Deed Instrument No. 468316 said point being the True Point of Beginning from the SE corner of said Section 10 and running thence N. 89°44'01" W. 496.00 feet along the north line of said Deed Instrument No. 468316; thence N. 00°15'59" E. 184.00 feet; thence S. 89°44'01" E. 496.00 feet; thence S. 00°15'59" W. 184 feet to the point of beginning.

TOGETHER WITH RIGHT-OF-WAY FOR INGRESS AND EGRESS DESCRIBED AS: A portion of the W1/2SE1/4 of Section 10, Township 4 South, Range 32 E.B.M., Bingham County, Idaho, described as: Beginning at a point that is N. 89°39'00" W. 1326.85 feet along the S. line of said Section 10 from the SE corner of Section 10; and running thence N. 89°39'00" W. 34.75 feet along the said Section line; thence N. 01°50'35" W. 2644.55 Feet to the East-West Centerline of said Section 10; thence N. 368 feet, through a farm yard; thence E. 34.75 feet; thence S. 368 feet, more or less, to the East-West centerline of said Section 10; thence S. 01°50'35" E. 2644.50 feet to the point of beginning.

TRACT B:

Township 4 South, Range 32 E.B.M., Bingham County, Idaho

Section 3: S1/2SW1/4

Section 9: SE1/4NE1/4; NE1/4SE1/4;

EXCEPTING THEREFROM: Beginning at a point 170 feet W. of the SE corner of the NE1/4SE1/4 of said Section 9, and running thence N. 16 rods; thence W. 15 rods; thence S. 16 rods; thence E. 15 rods to the point of beginning.

Section 10: N1/2NW1/4

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BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 18.00 DEP 8.1718

2003 MAR 24 AM 9:38

SHERIFF'S DEED

RETURNED AT THE REQUEST OF

THIS DEED, made this 24th day of March, 2003, by C. Dayle Holm, Sheriff of Bingham County, State of Idaho, by virtue of his office, the Grantor, to Washington Mutual Bank, fka Western Bank, a division of Washington Mutual Bank (sometimes hereinafter referred to as "Washington Mutual Bank"), the Grantee, whose pertinent mailing address is 199 N. Capital Boulevard., Suite 501, Boise, Idaho 83702

WITNESSETH:

WHEREAS, in and by an Amended Order for Judgment and Decree of Foreclosure and Order of Sale (hereinafter referred to as "Amended Judgment") filed on the 10th day of October, 2002, in and by the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Bingham, in Case No. CV-01-1976, which was then pending in said Court, wherein The Equitable Life Assurance Society of the United States, a New York corporation, was Plaintiff and David L. Wahlen, aka David Lee Wahlen, and Colette V. Wahlen, husband and wife, and others were Defendants, it was, among other things, ordered, adjudged and decreed that the mortgaged real property described in the Complaint filed as Case No. CV-01-1976 and also in the Amended Judgment and hereinafter (hereinafter sometimes referred to as the "Subject Property"), be sold at public auction by the Sheriff of Bingham County, Idaho, in the manner prescribed by law and rule and practice of said Court; and

WHEREAS, in and by a Writ of Execution (Order of Sale) issued on the 16th day of October, 2002, in said action, by the Clerk of said Court, the Sheriff of Bingham County, State of Idaho, was commanded to sell said Subject Property; and

WHEREAS, in obedience to said Writ of Execution (Order of Sale) and after due public notice given as required by law, the Sheriff of Bingham County, Idaho, did, on the 21st day of

Hawley Troxell Ennis & Hawley
877 to phone #1000
Boise ID 83702

November, 2002, at 10:00 a.m. of said day, at the front door of the Bingham County Courthouse, Blackfoot, Idaho, duly sell at public auction, the Subject Property which is described herein, in said Writ of Execution (Order of Sale) and in said Amended Order for Judgment and Decree of Foreclosure and Order of Sale; and

WHEREAS, at such sale, said Subject Property was sold in three (3) separate parcels to Washington Mutual Bank, the Grantee herein; and

WHEREAS, that certain portion of the Subject Property which is described as "Tract A" on Exhibit "A" which is attached hereto and incorporated herein by this reference, was sold to Washington Mutual Bank, the Grantee herein, for the sum of \$170,000, it being the highest bidder, and said sum being the highest bid therefor; which sum was duly paid by Washington Mutual Bank to the Sheriff of Bingham County, Idaho, and the Sheriff of Bingham County, Idaho, thereupon delivered his Certificate of Sale covering "Tract A" dated November 21, 2002, to Washington Mutual Bank and had a duplicate thereof recorded on November 29, 2002, as Instrument No. 51973, records of Bingham County, Idaho, as required by law; and

WHEREAS, that certain portion of the Subject Property which is described as "Tract B" on Exhibit "A" which is attached hereto and incorporated herein by this reference, was sold to Washington Mutual Bank, the Grantee herein, for the sum of \$170,000, it being the highest bidder, and said sum being the highest bid therefor; which sum was duly paid by Washington Mutual Bank to the Sheriff of Bingham County, Idaho, and the Sheriff of Bingham County, Idaho, thereupon delivered his Certificate of Sale covering "Tract B" dated November 21, 2002, to Washington Mutual Bank and had a duplicate thereof recorded on November 29, 2002, as Instrument No. 51974, records of Bingham County, Idaho, as required by law; and

WHEREAS, that certain portion of the Subject Property which is described as "Tract C" on Exhibit "A" which is attached hereto and incorporated herein by this reference, was sold to Washington Mutual Bank, the Grantee herein, for the sum of \$140,000, it being the highest bidder, and said sum being the highest bid therefor; which sum was duly paid by Washington Mutual Bank to the Sheriff of Bingham County, Idaho, and the Sheriff of Bingham County, Idaho, thereupon delivered his Certificate of Sale covering "Tract C" dated November 21, 2002, to Washington Mutual Bank and had a duplicate thereof recorded on November 29, 2002, as Instrument No 51975, records of Bingham County, Idaho, as required by law; and

WHEREAS, all amounts mentioned above (which totaled \$480,000) were duly paid by Washington Mutual Bank to the Sheriff of Bingham County, Idaho, in satisfaction of the amount of the Amended Judgment and accruing costs as allowed by statute; and

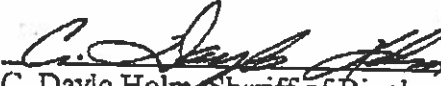
WHEREAS, the Defendants Davis L. Wahlen, aka David Lee Wahlen, and Colette V. Wahlen, husband and wife, and all other defendants who held rights to redeem the Subject Property from the Sheriff's sale pursuant to Idaho law having waived their respective redemption rights, Washington Mutual Bank, the Grantee herein, is entitled to a deed to said Subject Property

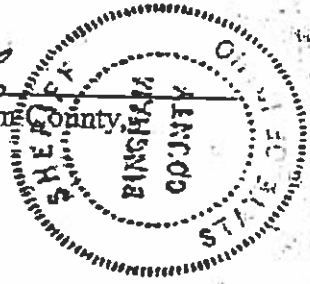
NOW, THEREFORE, I, C Dayle Holm, Sheriff of Bingham County, State of Idaho, by virtue of my office, and in consideration of the premises and of the sum so paid and in compliance with the law and with the above-mentioned Amended Order for Judgment and Decree of Foreclosure and Order of Sale, as Grantor, DO HEREBY GRANT, BARGAIN, SELL AND CONVEY unto Washington Mutual Bank, fka Western Bank, a division of Washington State Bank, the Grantee, and to its successors and assigns forever, all that certain real property situate in County of Bingham, State of Idaho, described as follows:

See EXHIBIT A attached hereto and by this reference made a part hereof

TO HAVE AND TO HOLD the above-described real property with its appurtenances unto said Grantee and its successors and assigns forever

IN WITNESS WHEREOF, said Grantor, as Sheriff of Bingham County, State of Idaho, aforesaid, does hereby set his hand the day and year first above written

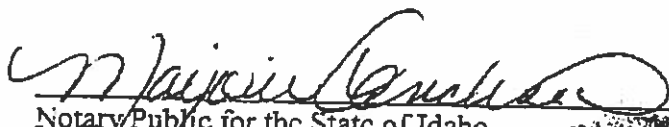

C. Dayle Holm, Sheriff of Bingham County,
State of Idaho



STATE OF IDAHO)
) ss
County of Bingham)

On this 24th day of March, 2003, before me, Marionie Anderson, a Notary Public in and for said State, personally appeared C. Dayle Holm, Sheriff of Bingham County, State of Idaho, known or identified to me to be the person whose name is subscribed to the foregoing instrument as said Sheriff of Bingham County, State of Idaho, and acknowledged to me that he executed the same as such Sheriff of Bingham County, State of Idaho

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 Bingham County, Idaho
My commission expires 1-14-

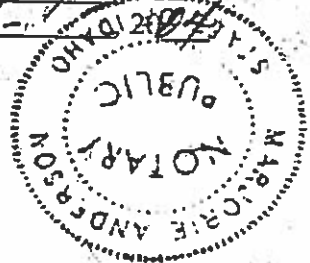


EXHIBIT "A"

Legal Description of the Subject Property (David L. Wahlen & Colette V. Wahlen)

TRACT A:

Township 4 South, Range 32 E.B.M., Bingham County, Idaho
Section 10: NE1/4

EXCEPTING THEREFROM: Beginning at a point that is N. 89°39'00" W. 1326.85 feet along the S. line of said Section 10 from the SE corner of Section 10, and N. 89°39'00" W. 34.75 feet along the said Section line; and N. 01°50'35" W. 2644.55 feet to the East-West centerline of said Section and the true point of beginning of this exception, running thence W. 180 feet; thence N. 184 feet; thence E. 496 feet; thence S. 184 feet; thence W. to the point of beginning. ALSO a road right-of-way described as follows: Commencing at the SE corner of the SW1/4SE1/4 of said Section 10, thence N. 160 rods; thence W. 11/2 rods; thence S. 160 rods; thence E. 11/2 rods to the place of beginning, EXCEPTING THEREFROM: Highway right-of-way along the S. part of said Road. ALSO: A portion of the W1/2SE1/4 of said Section 10, Township 4 South, Range 32 E.B.M., Bingham County, Idaho described as: Beginning at a point that is N. 89°39'00" W. 1326.85 feet along the S. line of said Section 10 from the SE corner of the Section 10; and running thence N. 89°39'00" W. 34.75 feet along the said Section line; thence N. 01°50'35" W. 2644.55 feet to the East-West centerline of said Section 10; thence N. 184 feet, through a farm yard, thence E. 34.75 feet; thence S. 184 feet, more or less, to the East-West centerline of said Section 10; thence S. 01°50'35" E. 2644.50 feet to the point of beginning, EXCEPTING THEREFROM: Commencing at the SE corner of the SW1/4SE1/4 of said Section 10, thence N. 160 rods; thence W. 11/2 rods; thence S. 160 rods; thence E. 11/2 rods to the place of beginning.

TRACT B:

Township 4 South, Range 32 E.B.M., Bingham County, Idaho
Section 3: S1/2SW1/4

Section 9: SE1/4NE1/4; NE1/4SE1/4; EXCEPTING THEREFROM: Beginning at a point 170 feet W. of the SE corner of the NE1/4SE1/4 of said Section 9, and running thence N. 16 rods; thence W. 15 rods; thence S. 16 rods; thence E. 15 rods to the point of beginning.

Section 10: N1/2NW1/4

TRACT C

Township 4 South, Range 31 E.B.M., Bingham County, Idaho

Section 25: W1/2NW1/4, EXCEPTING THEREFROM: Beginning at the NW corner of said Section 25; thence Southerly 540 feet, more or less, to the N. bank of a small irrigation ditch; thence N. 88°48'00" E. along the N. bank of said ditch a distance of 325

feet; thence N. $00^{\circ}31'00''$ W. a distance of 542 feet, more or less, to a point on the N. Section line of said Section 25; thence W. along said Section line 337.8 feet to the Point of Beginning; ALSO EXCEPTING THEREFROM: Beginning at a Highway right-of-way marker on the S. line of State Highway 39 that is E. along the Section line 1,325.45 feet and S. $00^{\circ}02'30''$ W. 21.1 feet from the NW corner of said Section 25; and running thence S. $00^{\circ}02'30''$ E. 263.64 feet; thence N. $89^{\circ}44'06''$ W. 996.14 feet, more or less, to the E. line of the School property; thence N. $00^{\circ}31'00''$ W. 258.35 feet, more or less, to the S. line of State Highway 39; thence N. $89^{\circ}51'34''$ E. 986.1 feet, more or less, to the Point of Beginning.

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EXHIBIT "A" - 2

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