

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

RECEIVED

DEC 11 2015

Department of Water Resources
Eastern RegionName of Applicant(s) Kent Clegg Phone (208)425-3071Mailing address 2372 Clegg LN Grace ID 83241-5284 Email kclegg1@gmail.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 _____ 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

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 Update Ownership
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**.
 This transfer application proposes to correct the place of use to where the water has historically been used. In addition the ownership of the water rights will be updated.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

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 ☐ ☐				to	
☐ ☐				to	
☐ ☐	****SEE	Attached	List*****	to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

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FEB 02 2016

Department of Water Resources
Eastern Region

Total authorized under rights 6.2 cfs and/or acre-feet.

2. Total amount of water proposed to be transferred or changed 6.2 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 #
N			NE	NW	10	11S	41E	Caribou	NF Trout Creek	
									*Doesn't apply to 13-2062	
N	5		SW	NW	3	11S	41E	Caribou	Cheatbeck Creek	
									*Only Applies to 13-2062	

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	
11S	41E	4	18	35	40	35.2									21	36	17.2	1.1	203.5
			TX 1	TX 2															
Total Acres (for irrigation use)																			203.5

X 

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
☐	☐			to	
☐	☐			to	
☐	☐	****SEE	Attached	List*****	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	

Total authorized under rights 6.2 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 6.2 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 #
N			NE	NW	10	11S	41E	Caribou	NF Trout Creek	
									*Doesn't apply to 13-2062 &	13-7611 *****
N	5		SW	NW	3	11S	41E	Caribou	Cheatbeck Creek	
									*Only Applies to 13-2062 &	13-7611*****

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	
11S	41E	3							0.2										0.2
									TX5										
11S	41E	4	18	35	40	35									21	36	17	1.1	203.1
			TX 1	TX 2															
11S	41E	9	0.1	0.1															0.2
Total Acres (for irrigation use)																			203.5

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:

Two Pipelines at point of diversion conveys irrigation and domestic water (kept separate) water is then used
sprinkle irrigate.

- b. Who owns the property at the point(s) of diversion? Robert Harris

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

There should be no effect - This transfer only corrects the place of use on the water right to correctly show where
the water has historically been used.

- 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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: 13-737

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

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.

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

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

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

[illegible]

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$ 1015 Date 12/11/15 Received by JB Receipt # E041683 (\$1615)

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)



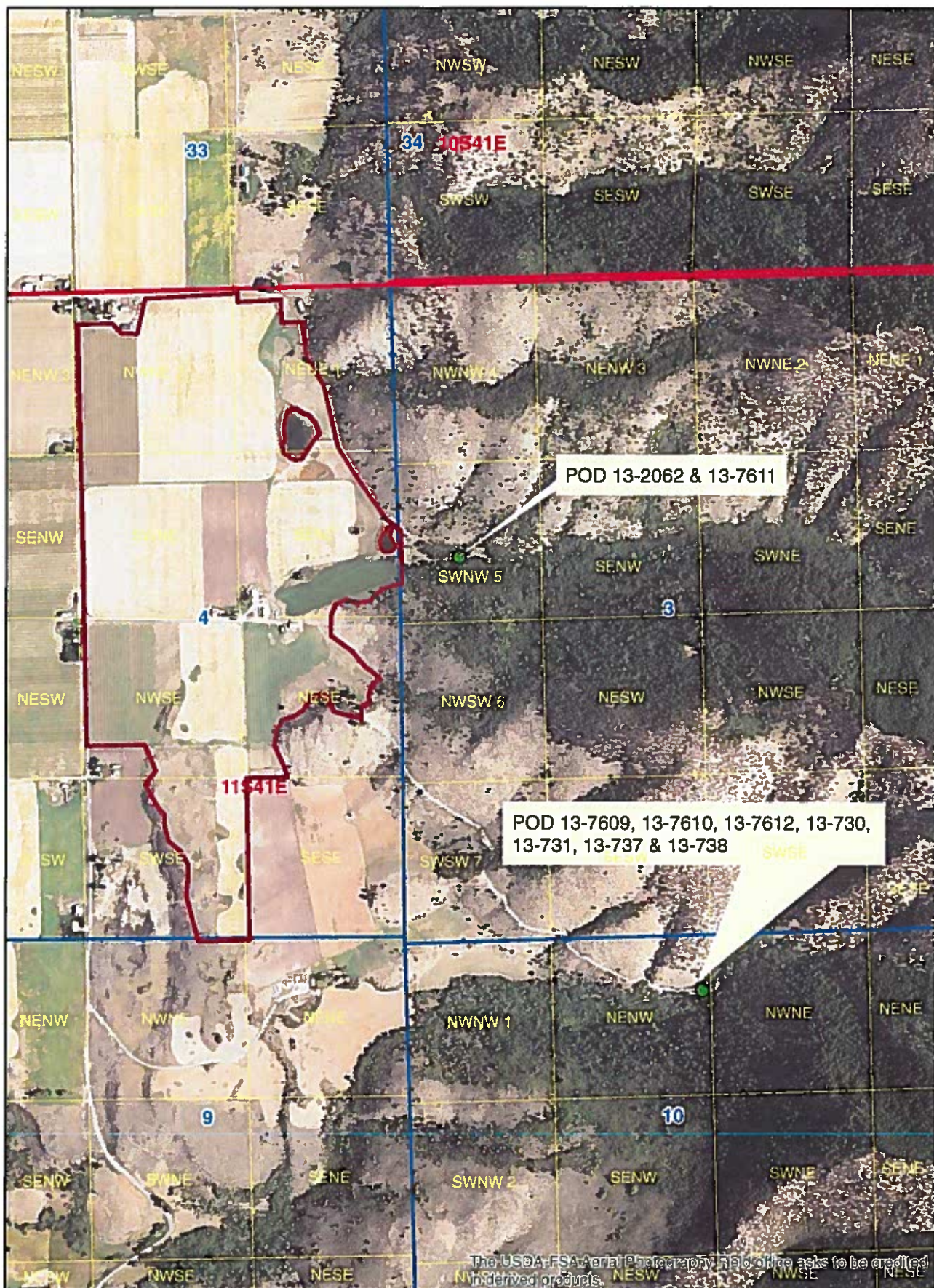
Kent Clegg

-  13-737 & 13-738
-  13-730 & 13-731
-  13-2062
-  13-7609
-  13-7610
-  13-7611
-  13-7612
-  New Place of Use
-  Taxlots
-  Township/Range
-  Sections
-  QQ



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

80587 0 0.075 0.15 0.3 Miles



80587

Instrument # 195888

CARIBOU COUNTY

9-1-2015 09:47:24 AM No. of Pages: 1

Recorded for : KENT CLEGG

DENISE HORSLEY

Ex-Officio Recorder Deputy

Index to: QUITCLAIM DEED

Fee: 10.00

QUITCLAIM DEED

FOR VALUE RECEIVED,

Rick Shrader and Kristen Shrader, husband and wife

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

Kent R. Clegg and Mignon Clegg, husband and wife

whose current address is: 2372 Clegg Lane, Grace, ID 83241

the following described premises:

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

Section 4: Beginning at a point 660 feet West of the Northeast corner of Lot 1 of said Section 4 and running thence West 660 feet; thence South 544.5 feet; thence East 643.5 feet; thence north 51°07'08" East 21.196 feet; thence North 531.2 feet to the point of beginning.

EXCEPT THEREFROM:

Section 4: Beginning at a point 660 feet West of the Northeast corner of Lot 1 of said Section 4 and running; thence West 660; thence South 60 feet; thence East 360 feet; thence South 190 feet; thence East 300 feet; thence north 250 feet to the point of beginning.

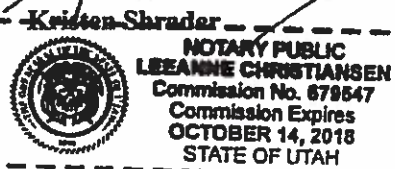
TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated: 2-12-15

Rick Shrader

Rick Shrader

Kristen Shrader



State of Utah }
County of S.L.C. } ss

On this 12 day of February, 2014, before me, the undersigned, a Notary Public in and for said state, personally appeared Rick Shrader and Kristen Shrader, known or identified to me to be the persons whose name is subscribed to the within Instrument and acknowledged to me that 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.

Leanne Christiansen
Notary Public for the State of Utah
Residing at: 102 So Main St S.L.C. Ut 84101
Commission Expires: 10-14-2018

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Department of Water Resources
Eastern Region

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

Current Water Right No.: 13-730

Current Owner: BENJAMIN CLEGG

Priority Date: 5/1/1879

Origin: Water Right

Status: Active

Basis: Decreed

Source

NORTH FORK TROUT CREEK

Tributary

TROUT CREEK

Beneficial Use

IRRIGATION

From To

4/02 to 9/30

Total Diversion

Diversion Rate

2.9 CFS

2.9 CFS

Annual Volume

Location of Point(s) of Diversion

NORTH FORK TROUT CREEK

CARIBOU County

NW1/4

Sec. 10,

Twp 11S,

Rge 41E B.M.

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S4	Lot 2	NWNE
T11S R41E S4		SENE
T11S R41E S4	Lot 4	NWNW

T11S R41E S4		SWNE
T11S R41E S4	Lot 3	NENW
T11S R41E S4		NESE

Conditions of Approval:

1. P/U, AC IRR=180.
P/D INCOMPLETE LEGAL: NW1/4 SEC. 10, T11S, R41E.

Decreed Date: 7/14/1920

Page _____ of _____

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

Current Water Right No.: 13-731

Current Owner: BENJAMIN CLEGG

Priority Date: 5/1/1885

Origin: Water Right

Status: Active

Basis: Decreed

Source

NORTH FORK TROUT CREEK

Tributary

TROUT CREEK

<u>Beneficial Use</u>	<u>From To</u>
IRRIGATION	4/20 to 9/30
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.7 CFS	
0.7 CFS	

Location of Point(s) of Diversion

NORTH FORK TROUT CREEK

NW1/4 Sec. 10, Twp 11S, Rge 41E B.M.

CARIBOU County

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S4	Lot 2	NWNE
T11S R41E S4		SENE
T11S R41E S4	Lot 4	NWNW

T11S R41E S4		SWNE
T11S R41E S4	Lot 3	NENW
T11S R41E S4		NESE

Conditions of Approval:

1. P/U, AC IRR=180
 P/D INCOMPLETE LEGAL: NW1/4, SEC. 10, T11S, R41E

Decreed Date: 7/14/1920

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

Current Water Right No.: 13-737

Current Owner: EMMETT H COLLINS
PHILLIP YOUNG

Priority Date: 5/1/1879

Origin: Water Right

Status: Active

Basis: Decreed

Source

NORTH FORK TROUT CREEK

Tributary

TROUT CREEK

Beneficial Use

From To

Diversion Rate

Annual Volume

DOMESTIC 01/01 to 12/31

IRRIGATION 04/20 to 09/30

1.85 CFS

Total Diversion

1.85 CFS

Location of Point(s) of Diversion

NORTH FORK TROUT CREEK

NW1/4NE1/4

Sec. 10, Twp 11S, Rge 41E B.M.

CARIBOU County

Place of Use

DOMESTIC Within CARIBOU County

T11S R41E S4 SWSE

T11S R41E S9

NENE

IRRIGATION Within CARIBOU County

T11S R41E S4 NWSE 37.20

T11S R41E S4

SWSE 34.00

T11S R41E S4 SESE 40.00

Total Acres: 111.2

Conditions of Approval:

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
3. DOMESTIC P/D LEGAL: NWNE SEC. 10, T11S, R41E. TRANS. 2507 SPECIFIES P/D AND P/U. THIS RT. WHEN COMBINED WITH 11-0675 SHALL NOT EXCEED 2.4 CFS
4. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

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

Current Water Right No.: 13-738

Current Owner: PHILLIP YOUNG
EMMETT H COLLINS

Priority Date: 5/1/1885

Origin: Water Right

Status: Active

Basis: Decreed

Source

NORTH FORK TROUT CREEK

Tributary

TROUT CREEK

Beneficial Use

IRRIGATION

From To

04/20 to 09/30

Diversion Rate

0.37 CFS

Annual Volume

Total Diversion

0.37 CFS

Location of Point(s) of Diversion

NORTH FORK TROUT CREEK

NW1/4NE1/4

Sec. 10,

Twp 11S,

Rge 41E B.M.

CARIBOU County

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S4

NWSE

37.20

T11S R41E S4

SWSE

34.00

T11S R41E S4

SESE

40.00

Total Acres: 111.2

Conditions of Approval:

1. DOMESTIC P/D LEGAL: NWNE SEC. 10, T11S, R41E.
TRANS. 2507 SPECIFIES P/D AND P/U.
THIS RT. WHEN COMBINED WITH 11-0674 SHALL NOT EXCEED 2.4 CFS
2. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 13P.

Decreed Date: 7/14/1920

Page _____ of _____

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

Current Water Right No.: 13-2062

Current Owner: ESTHER N PETERSON

Priority Date: 9/26/1913

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

CHEATBECK CREEK

SINKS

Beneficial Use

From To

Diversi on Rate

Annual Volume

DOMESTIC

/ to /

IRRIGATION

/ to /

0.4 CFS

Total Diversion

0.4 CFS

Location of Point(s) of Diversion

CHEATBECK CREEK

SW1/4NW1/4

Sec. 3, Twp 11S, Rge 41E B M.

CARIBOU County

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S4

Lot 1

NENE

20.00

Total Acres: 20

Place of Use: DOMESTIC same as IRRIGATION

Conditions of Approval:

1. SOURCE KNOWN LOCALLY AS SHEEPBECK CK. SEE QUAD CC-45.

Licensed Date: 3/22/1979

80587

Page _____ of _____

Decreed Date: 7/14/1920

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

Current Water Right No.: 13-7609

Current Owner: KENT CLEGG

Priority Date: 5/1/1879

Origin: Water Right

Status: Active

Basis: Decreed

Source

NORTH FORK TROUT CREEK

Tributary

TROUT CREEK

Beneficial Use

IRRIGATION

From To

04/20 to 09/30

Diversion Rate

0.36 CFS

Annual Volume

Total Diversion

0.36 CFS

Location of Point(s) of Diversion

NORTH FORK TROUT CREEK

NW1/4

Sec. 10,

Twp 11S,

Rge 41E B.M.

CARIBOU County

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S4

Lot 1

NENE

T11S R41E S4

Lot 2

NWNE

Conditions of Approval:

1. X35 Rights 13-7609 and 13-7611 when combined shall not exceed the irrigation of 30 acres.
2. P/U, AC IRR=30
P/D INCOMPLETE LEGAL: NW 1/4, SEC. 10, T11S, R41E

Decreed Date: 7/14/1920

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

Current Water Right No.: 13-7610

Current Owner: KENT CLEGG

Priority Date: 5/1/1879

Origin: Water Right

Status: Active

Basis: Decreed

Source

NORTH FORK TROUT CREEK

Tributary

TROUT CREEK

<u>Beneficial Use</u>	<u>From To</u>
IRRIGATION	04/20 to 09/30
DIVERSION TO STORAGE	01/01 to 12/31
RECREATION STORAGE	01/01 to 12/31
<u>Total Diversion</u>	

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.21 CFS	
0.03 CFS	
	5.3 AF
0.24 CFS	

Location of Point(s) of Diversion

NORTH FORK TROUT CREEK
CARIBOU County

NW1/4NE1/4 Sec. 10, Twp 11S, Rge 41E B.M.

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S4 Lot 1 NENE 17.50

DIVERSION TO STORAGE Within CARIBOU County

T11S R41E S4 Lot 1 NENE

RECREATION STORAGE Within CARIBOU County

T11S R41E S4 Lot 1 NENE

Page _____ of _____

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. X01 Recreation storage use is for 2 ponds.
3. 18B The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. X55 During years the ponds are filled from empty, the irrigation use under this right shall not exceed 15 acres and 0.18 cfs.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-P.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. X35 Rights 13-7610 and 13-7612 when combined shall not exceed the irrigation of 17.5 acres.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Decreed Date: 7/14/1920

Page _____ of _____

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

Current Water Right No.: 13-7611

Current Owner: KENT CLEGG

Priority Date: 5/1/1909

Origin: Water Right

Status: Active

Basis: Decreed

Source

NORTH FORK TROUT CREEK

Tributary

TROUT CREEK

<u>Beneficial Use</u>	<u>From To</u>
IRRIGATION	04/20 to 09/30
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.24 CFS	
0.24 CFS	

Location of Point(s) of Diversion

NORTH FORK TROUT CREEK

NE1/4 Sec. 4, Twp 11S, Rge 41E B.M.

CARIBOU County

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S4 Lot 1 NENE

T11S R41E S4 Lot 2 NWNE

Conditions of Approval:

1. P/U, AC IRR=30
 P/D INCOMPLETE LEGAL: NW 1/4, SEC. 10, T11S, R41E
2. X35 Rights 13-7609 and 13-7611 when combined shall not exceed the irrigation
 of 30 acres.

Decreed Date: 7/14/1920

80587

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

Current Water Right No.: 13-7612

Current Owner: KENT CLEGG

Priority Date: 5/1/1909

Origin: Water Right

Status: Active

Basis: Decreed

Source

NORTH FORK TROUT CREEK

Tributary

TROUT CREEK

<u>Beneficial Use</u>	<u>From To</u>
IRRIGATION	04/20 to 09/30
RECREATION STORAGE	01/01 to 12/31
DIVERSION TO STORAGE	01/01 to 12/31

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.14 CFS	
	3.5 AF
0.02 CFS	
<u>Total Diversion</u>	0.16 CFS

Location of Point(s) of Diversion

NORTH FORK TROUT CREEK
CARIBOU County

NW1/4NE1/4 Sec. 10, Twp 11S, Rge 41E B.M.

Place of Use

IRRIGATION Within CARIBOU County

T11S R41E S4 Lot 1 NENE 17.50

RECREATION STORAGE Within CARIBOU County

T11S R41E S4 Lot 1 NENE

DIVERSION TO STORAGE Within CARIBOU County

T11S R41E S4 Lot 1 NENE

Page _____ of _____

Conditions of Approval:

1. X55 During years the ponds are filled from empty, the irrigation use under this right shall not exceed 15 acres and 0.12 cfs.
2. 18B The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
3. X01 Recreation storage use is for 2 ponds.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-P.
9. X35 Rights 13-7610 and 13-7612 when combined shall not exceed the irrigation of 17.5 acres.
10. X36 Right 13-7611 is also diverted through the point of diversion described above.

Decreed Date: 7/14/1920

Instrument 174796
2005-12-20 02:54:17 No. of Pages: 1
Recorded for : KENT CLEGG
EDIE BUSH
Ex-Officio Recorder Deputy BA
Index to: OUTCLAM DEED

Release of
Interest
13-730 | 13-731

Mail Tax Notices To:
Kent R. Clegg
550 Bench-Lago Road
Grace, ID 83241

STATE OF IDAHO }
County of Caribou } ss 162114
I hereby certify that this instrument was filed at the request
of Caribou Title
at 3:50 o'clock 1 m this 17th day of
September, 2000 in my office and duly
recorded official Records
Recorder Edie Izatt
Signature Jessie Stephens Deputy 3.00
CT

WARRANTY DEED

For Value Received Wendy Hubbard, a single woman, the grantor of Caribou County, Idaho, does hereby grant, bargain, sell and convey unto Kent R Clegg and Mignon Clegg, husband and wife, the grantees, the following described premises located in Caribou County, Idaho, to-wit:

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

Section 4: Beginning at a point 660 feet West of the Northeast corner of Lot 1 of said Section 4 and running
thence West 660 feet; thence South 544.5 feet;
thence East 643.5 feet; thence North 51°07'08" East 21.196 feet;
thence North 531.2 feet to the point of beginning

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: September 7, 2000

Wendy Hubbard
Wendy Hubbard

STATE OF IDAHO)
: ss.

County of Caribou)

On this 9th day of September, 2000, before me the undersigned, a notary public in and for said County and State, personally appeared **Wendy Hubbard, a single person** known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Karen C. Thomas
NOTARY PUBLIC FOR THE STATE OF IDAHO
Residing at: Boise
My commission expires: 10-13-05



WARRANTY DEED

Order No.:3080740905CS

FOR VALUE RECEIVED

Maurice V. Clegg and Marilyn S. Clegg, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Kent Clegg and Mignon Clegg, Husband and Wife

whose current address is

2372 Clegg Lane Grace, ID 83241

the grantee(s), the following described premises, in Caribou County, Idaho, TO WIT:

Township 11 South, Range 41 East of the Boise Meridian, Caribou County, Idaho.

Section 4:

BEGINNING at the Northwest corner of the Northeast $\frac{1}{4}$ of said Section 4, and running;

Thence East 80 rods;

Thence South 33 rods;

Thence East 39 rods;

Thence Southeasterly to a point on the South line of Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section, which point is 28 rods West of the Southeast corner of said Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$;

Thence West 52 rods;

Thence North $18 \frac{1}{2}$ rods;

Thence West 80 rods;

Thence North $61 \frac{1}{2}$ rods to the POINT OF BEGINNING, being part of Lots 1 and 2 of said Section 4;

ALSO:

BEGINNING at the northeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 4, and running;

Thence South 14 rods;

Thence West 160 rods

Thence North $32 \frac{1}{2}$ rods;

Thence East 80 rods;

Thence South $18 \frac{1}{2}$ rods;

Thence East 80 rods to the POINT OF BEGINNING.

EXCEPTING THEREFROM:

Township 11 South, Range 41 East, Boise Meridian, Caribou County, Idaho:

Section 4:

BEGINNING at a point 25 feet East and $22 \frac{1}{2}$ feet South of the North $\frac{1}{4}$ corner of said Section 4, and running;

Thence South 147.58 feet;

Thence East 147.58 feet;

Thence North 147.58 feet;

Thence West 147.58 feet, to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

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

80587 1

Section 4:

Northeast ¼ of the Northeast ¼.

ALSO EXCEPTING THEREFROM:

The North 231 feet of the Southeast ¼ of the Northeast ¼, of said Section 4.
Together with all irrigation water rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: Dec 21, 2007

Maurice V. Clegg
Maurice V. Clegg

Marilyn S. Clegg
Marilyn S. Clegg

State of Utah

} ss.

County of Utah

On this 21 day of December, in the year 2007 before me, a Notary Public in and for said state, personally appeared Maurice V. Clegg and Marilyn S. Clegg 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
KELLEY JENSEN
606 East State Rd
American Fork UT 84003
My Commission Expires
May 30, 2008
STATE OF UTAH

Kelley Jensen
Notary Public for the State of Utah
Residing at: Am. Fork, Utah
Commission Expires: 5-30-2008



NOTARY PUBLIC
KELLEY JENSEN
606 East State Rd
American Fork, UT 84003
My Commission Expires
May 30, 2008
STATE OF UTAH

Mail Tax Notice To:
Kent R. Clegg
550 Bench Lago Rd.
Grace, ID 83241

163270

STATE OF IDAHO

County of Caribou

Date: March 29, 2001

Time: 1:40 p.m.

Official Records

Recorder: Edie Izatt

Deputy: Shirley L. Goffney

Fee: 3.00 ct

WARRANTY DEED

For Value Received Maurice V. Clegg and Marilyn S. Clegg, husband and wife, the grantors of Oakton, Virginia, does hereby grant, bargain, sell and convey unto Kent R. Clegg and Mignon Clegg, husband and wife, of Grace, Idaho, the grantees, the following described premises located in Caribou County, Idaho, to-wit:

Township 11 South, Range 41 East of the Boise Meridian

Section 4: NE1/4NE1/4, ALSO, the North 231 feet of the SE1/4NE1/4, of said Section 4, EXCEPT THEREFROM beginning at the Northeast corner of Section 4 and running thence West 1320 feet, more or less to the northwest corner of the NE1/4NE1/4; thence South 544.5 feet; thence East 643.5 feet; thence in a Northeasterly direction to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 14, 2001

Maurice V. Clegg
Maurice V. Clegg

Marilyn S. Clegg
Marilyn S. Clegg

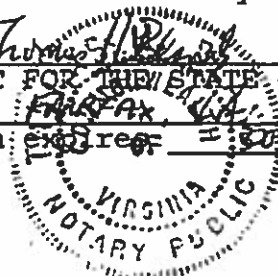
STATE OF Virginia)

: ss.

County of FAUFAK)

On this 24th day of MARCH, 2001, before me the undersigned, a notary public in and for said County and State, personally appeared Maurice V. Clegg and Marilyn S. Clegg, known or identified to me to be the persons who names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Thomas H. [Signature]
NOTARY PUBLIC FOR THE STATE OF VIRGINIA
Residing at: FAUFAK, VA
My commission expires: NOV 2003



Mail Tax Notice to:
Kent R. Clegg
550 Bench-Lago Road
Grace, Idaho 83241

STATE OF IDAHO } ss. 154442
County of Caribou }

I hereby certify that this instrument was filed at the request
of Caribou Title
at 2:45 o'clock P m this 13th day of
June, 19 97 in my office and duly
recorded in Microfilm Records
Scriber: Edie Izatt
Ex-Officio Recorder Denise Husley Deputy 0600

WARRANTY DEED

THIS INDENTURE, made this 6th day of May, 1997, between ROBERT D. YOUNG AND DONETTE C. YOUNG FAMILY TRUST, ROBERT D. YOUNG, DONETTE C. YOUNG, JANNON FRASER, PHILIP D. YOUNG AND KIRK T. YOUNG, Trustees, of Grace, Caribou County, Idaho, hereinafter called First Party, and KENT R. CLEGG AND MIGNON CLEGG, husband and wife, of 550 Bench-Lago Road, Grace, Caribou County, Idaho 83241, hereinafter called Second Party:

WITNESSETH: that the said First Party, for and in consideration of the sum of THIRTY SIX THOUSAND DOLLARS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows:

Township 11 South, Range 41 East of the Boise Meridian:
Section 4: ~~W&SEX~~, EXCEPT THEREFROM, Beginning at a point 67 feet North of the Southwest corner of the ~~SEX~~ of said Section 4, and running
thence North 1558 feet;
thence East 480 feet;
thence South 798 feet;
thence East 180 feet;
thence South 760 feet;
thence West 660 feet,
to the point of beginning.
ALSO, EXCEPT THEREFROM, any portion thereof lying within the right of way of the Bench-Lago Road.

TOGETHER with all water in North Fork of Trout Creek.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident and unto the said First Party, and to their heirs and assigns forever, and the said First Party shall and will warrant and by these present forever defend.

80587

154442

IN WITNESS WHEREOF, the said First Party has hereunto set their hands and seals, the day and year first above written.

ROBERT D. YOUNG AND DONETTE
C. YOUNG FAMILY TRUST

By: *Robert D. Young*
ROBERT D. YOUNG, Trustee.

By: *Donette C. Young*
DONETTE C. YOUNG, Trustee.

By: *Jannon Fraser*
JANNON FRASER, Trustee.

By: *Philip D. Young*
PHILIP D. YOUNG, Trustee.

By: *Kirk T. Young*
KIRK T. YOUNG, Trustee.

STATE OF IDAHO)
County of Caribou) ss.

On this 13th day of June, 1997, before me the undersigned, a Notary Public in and for said County and State, personally appeared ROBERT D. YOUNG, DONETTE C. YOUNG, JANNON FRASER, PHILIP D. YOUNG AND KIRK T. YOUNG, known to me to be the Trustees of the ROBERT D. YOUNG AND DONETTE C. YOUNG FAMILY TRUST, and known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of said trust.

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

Donna Jean Benson
NOTARY PUBLIC FOR STATE OF IDAHO
Residing at Soda Springs, Idaho.
My commission expires: 8/15/97



80587

150145

I hereby certify that this instrument was filed at the request

of Caribou, Idaho

at 1:30 o'clock p m this 6 day of
June, 19 95 in my office and duly

entered in Microfilm Records

Recorder, Edie Izatt

Edie Izatt

6⁰⁰

WARRANTY DEED

Official Recorder

Deputy

THIS INDENTURE, Made this 4th day of April, 1995, between WILLARD GRANT CLEGG AND ZAN CLEGG, husband and wife, of Grace, Caribou County, Idaho, hereinafter called First Party, and KENT R. CLEGG AND MIGNON CLEGG, husband and wife, of 550 Bench-Lago Road, Grace, Caribou County, Idaho 83241, hereinafter called Second Party:

WITNESSETH: That the said First Party, for and in consideration of the sum of THIRTY-EIGHT THOUSAND EIGHT HUNDRED TEN AND 15/100 DOLLARS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows, to-wit:

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

Section 4: NE1/4SE1/4, ALSO, the South 1089 feet of the S1/2NE1/4,
Section 5: Lot 4, SW1/4NW1/4.

RESERVING unto the parties of the first part a LIFE ESTATE in and to the following tract of land, to-wit:

Beginning at a point 135 feet West of the Southwest corner of the SE1/4NE1/4 of Section 4, and running thence North 300 feet; thence East 210 feet; thence South 300 feet; thence West 210 feet, to the point of the beginning.

SUBJECT to all easements, rights of way, and public roads or highways adjoining or crossing said property, and further subject to retention or reservation of mineral, oil and gas rights by prior owners of said real property or by the United States of America or the State of Idaho.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident

unto the said First Party, and to their heirs and assigns forever,
and the said First Party shall and will warrant and by these
presents forever defend.

IN WITNESS WHEREOF, The said First Party has hereunto set
their hands and seals, the day and year first above written.

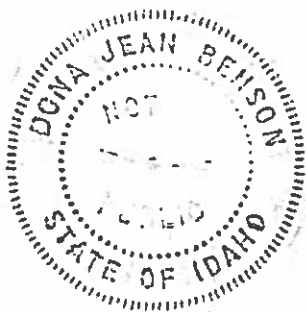
Willard Grant Clegg
WILLARD GRANT CLEGG

Zan Clegg
ZAN CLEGG

STATE OF IDAHO)
 : ss.
County of Caribou)

On this 1st day of June, 1995, before me the undersigned, a
Notary Public in and for said County and State, personally appeared
WILLARD GRANT CLEGG AND ZAN CLEGG, husband and wife, 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.



Donna Jean Benson
NOTARY PUBLIC for the State of Idaho
Residing at: Soda Springs, Idaho
Commission expires: 8/15/97.