

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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NOV 04 2015

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) R Lloyd Bros Phone (208)425-3251

Mailing address PO BOX 576 Grace ID 83241-0576 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.

R. Lloyd
Signature of Applicant or Authorized Representative

Randy Lloyd PTN
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 _____

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**.

Correct place of use and point of diversion to correctly reflect the development of the water rights.

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 ☒ ☐	29-7001	5.97 cfs	Irrigation	04/15 to 10/15	Ground Water
☒ ☐	29-10171	3.79 cfs	Irrigation	04/01 to 10/30	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 5.97 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed _____ 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 #
			NE	SE	21	08S	40E	Caribou	Ground Water	
			NE	SE	21	08S	40E	Caribou	Ground Water	
			SE	NE	29	08S	40E	Caribou	Ground Water	
			NW	SE	16	08S	40E	Caribou	Ground Water	

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	
08S	40E	16			1.0	22.1									39.6	11.7	3.7	33.6	111.7
08S	40E	21	34	28.2	33.7	33.2	25.1		19.1	35.4	37.5	17.6	19.2	35	35.6	38.2	30.3	33.0	455.1
08S	40E	27							30		31.3	28.0	25.7	28.1					143.1
08S	40E	28	34.2	36.5	34.2	30	34.5	19.6	29.5	37.5	35.1	26.5			34.2	36.1		28.7	416.6
08S	40E	29			36.0	37.5								8.5	35.2	33.1	38.5	30.7	219.5
08S	40E	32	37	40	12.5	6.9	15.4			.3									112.1
08S	40E	33	36			34									30.2				100.2
08S	40E	34	32.2				32.0				29.5								93.7

Total Acres (for irrigation use) 1652.00

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:

Irrigation

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

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:

?

- 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:

Page _____ of _____

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

Current Water Right No.: 29-7001

Current Owner: R LLOYD BROS

Priority Date: 9/5/1967

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	5.97 CFS	1320 AF
	<u>Total Diversion</u>	5.97 CFS	1320 AF

Location of Point(s) of Diversion

GROUND WATER
CARIBOU County

NE1/4SE1/4 Sec. 21, Twp 08S, Rge 40E B.M.

Place of Use

IRRIGATION Within CARIBOU County

T08S R40E S21	SWNE	37.00	T08S R40E S21	SENE	40.00
T08S R40E S21	SWNW	37.00	T08S R40E S21	SENW	35.00
T08S R40E S21	NESW	39.00	T08S R40E S21	NWSW	33.00
T08S R40E S21	SWSW	33.00	T08S R40E S21	SESW	36.00
T08S R40E S21	NESE	40.00	T08S R40E S21	NWSE	38.00
T08S R40E S21	SWSE	32.00	T08S R40E S21	SESE	40.00

Total Acres: 440

Conditions of Approval:

1. S41 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 3/22/2004

80502

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

Current Water Right No.: 29-10171

Current Owner: R LLOYD BROS

Priority Date: 4/1/1987

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/30	3.79 CFS	
	<u>Total Diversion</u>	3.79 CFS	2534 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4SE1/4	Sec. 16,	Twps 08S,	Rge 40E B.M.
CARIBOU County				
GROUND WATER	NE1/4NE1/4SE1/4	Sec. 21,	Twps 08S,	Rge 40E B.M.
CARIBOU County				

Place of Use

IRRIGATION Within CARIBOU County

T08S R40E S27	SWNW	40.00	T08S R40E S27	NWSW	40.00
T08S R40E S27	SWSW	40.00	T08S R40E S28	NENE	40.00
T08S R40E S28	SENE	40.00	T08S R40E S28	NESE	40.00
T08S R40E S28	SESE	40.00			

Total Acres: 280

80502

Page _____ of _____

Conditions of Approval:

1. K09 THIS RIGHT IS FOR AN ENLARGEMENT OF 280 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.
2. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 280 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. 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.
4. E51 USE OF THIS RIGHT WITH RIGHT NO. 29-7001 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.97 CFS.
5. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-7001 & 29-10171.
6. 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.
7. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 720 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-7001 & 29-10171.
8. E53 USE OF THIS RIGHT WITH RIGHT NO. 29-7001 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2534 AF.
9. K02 THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-7001 PURSUANT TO SECTION 42-1426, IDAHO CODE.

Decreed Date: 3/22/2004

80502

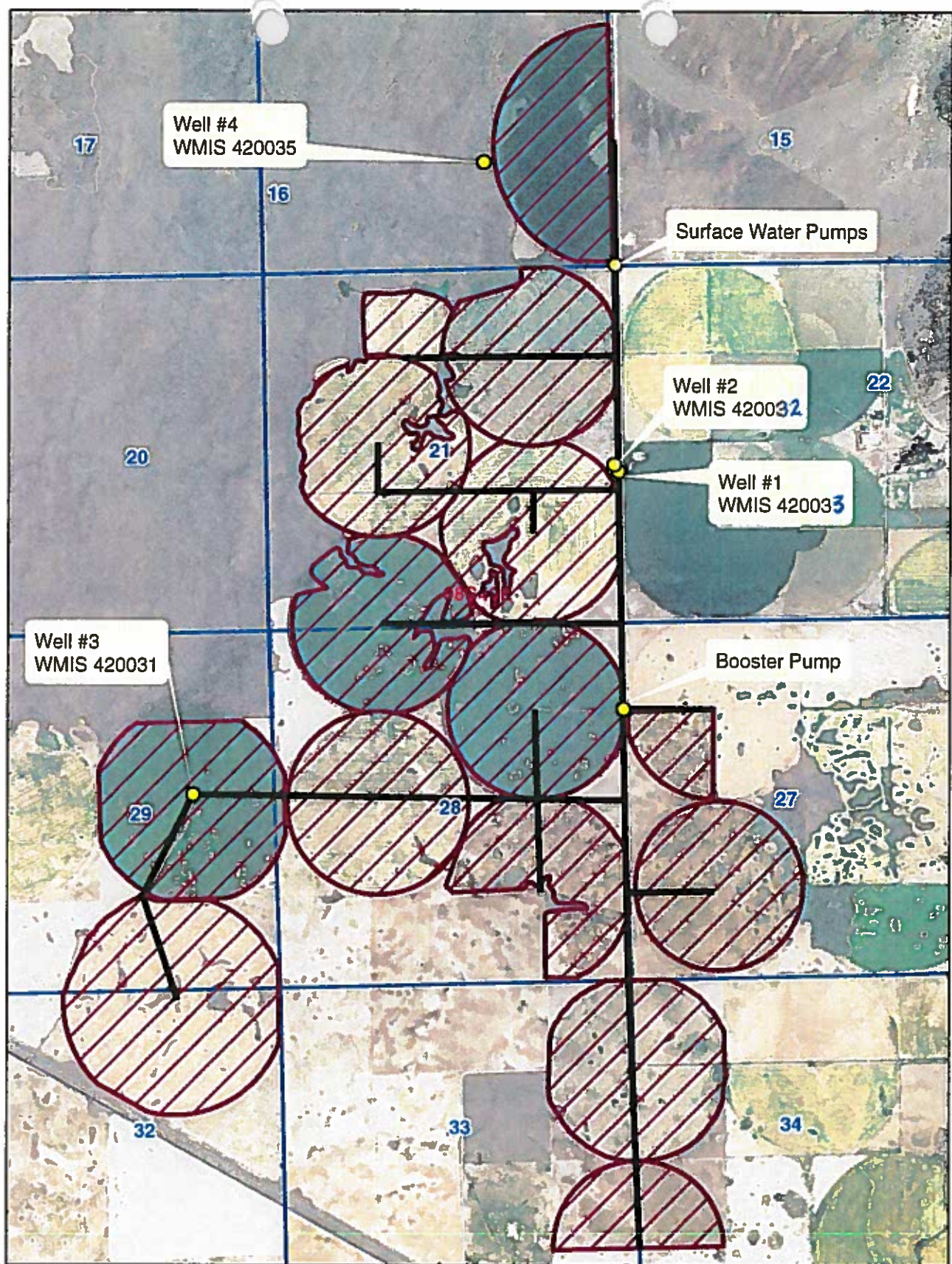


R. Loyd Bros - Current Place of Use

0 0.2 0.4 0.8 Miles

29-10171
29-7001

80502



R Lloyd Bros



2013 Aerial Imagery

- Distribution System
- Place of use
- Township/Range
- Sections

0 0.2 0.4 0.8 Miles

80502

245



STATEMENT OF PARTNERSHIP AUTHORITY

(Instructions on back of application)

FILED EFFECTIVE

2014 FEB 24 AM 9:05

SECRETARY OF STATE
STATE OF IDAHO

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

1. The name of the partnership is: R. Lloyd Brothers, a general partnership
2. The street address of its chief executive office is: 1116 Harwood Road, Grace, Idaho 83241
3. The street address of one (1) office in Idaho: 1116 Harwood Road, Grace, Idaho 83241
4. The names and mailing addresses of all partners (attached sheets may be added):

Name	Address
<u>Randy T. Lloyd</u>	<u>P.O. Box 576, Grace, Idaho 83241</u>
<u>Ryan H. Lloyd</u>	<u>P.O. Box 119, Grace, Idaho 83241</u>
<u>Rory J. Lloyd</u>	<u>P.O. Box 223, Grace, Idaho 83241</u>

OR the name and address of the agent in Idaho who maintains a list of all partners:

5. The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

<u>Randy T. Lloyd</u>		
<u>Ryan H. Lloyd</u>		
<u>Rory J. Lloyd</u>		

6. Signature of at least 2 partners:

- 1) Randy T. Lloyd
Typed Name Randy T. Lloyd
- 2) Ryan H. Lloyd
Typed Name Ryan H. Lloyd
- 3) Rory J. Lloyd
Typed Name Rory J. Lloyd

Secretary of State use only

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Revised 08/2002
Web Form

IDAHO SECRETARY OF STATE
02/24/2014 05:00
CK: 1712658 CT: 172899 BH: 1411751
1 @ 100.00 = 100.00 PARTIAL AUT @ 2

K 1159

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