

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80195

MINIMUM REQUIREMENTS CHECKLIST TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) MKFT Real Estate, 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: 1987 aerial photo

SUPPORT DATA

IN FILE # 57-2271

Page 1 of Transfer No. _____

RECEIVED

JUN 24 2015

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) MKFT Real Estate, LLC Phone 509-227-0048
Mailing address 601 E. Riverside Ave., Spokane, WA 99201 Email kevin.j.paulson@ustrust.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 SPF Water Engineering, LLC Phone 208-383-4140
Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.com

- ☐ 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.

Kevin J. Paulson
Signature of Applicant or Authorized Representative

Kevin J. Paulson SVP for Bd/Trustee
Print Name and Title if applicable

6-18-2015
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**.
 (1) change the points of diversion on water rights 57-2271 and 57-2278 to irrigation wells owned and used; (2) change the irrigation place of use to a permissible place of use (PPU) for irrigation flexibility; (3) transfer portions of water right 57-2271 decreed outside the applicant's property boundary, to acres within the applicant's property boundary, where they have been historically used for irrigation; and (4) add a new well.

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 ☒ ☐	57-2271	4.5/1012.5	Irrigation	3/15 to 10/15	Ground Water
☒ ☐	57-2278	2.8/630	Irrigation	3/1 to 10/31	Ground Water
☐ ☒	57-11711	0.52/116.1	Irrigation	3/1 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 7.82 cfs and/or 1758.6 acre-feet.

2. Total amount of water proposed to be transferred or changed 7.82 cubic feet per second and/or 1758.6 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 #
			SW	SW	25	4S	1W	Owyhee	Ground Water	A0016965
			SW	SE	26	4S	1W	Owyhee	Ground Water	A0016966
			SE	SW	26	4S	1W	Owyhee	Ground Water	Proposed New Well

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	1W	25											25						25
4S	1W	26									40	40	40	40	40	40	40	40	320
5S	1W	34	3		5	25													33
5S	1W	35	14	38	1		40	40	11	10									154
Total Acres (for irrigation use)																			*532

*390.8 acres irrigation within a 532-acre permissible place of use (PPU)

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:
2 existing wells, 1 new well, pumps, pressurized irrigation system.
Measuring devices and lockable controlling works will be installed upon Department's request.

- 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:
As evidenced on 1987 aerial photography included as Attachment 9, all of water right 57-2271 has been
historically used for irrigation within applicant's property boundary, however portions of the water right in Section
34 were decreed to areas outside the applicant's property boundary on acres not owned or irrigated. (continued
below)
- 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:
None

- 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.: 57-2271

Current Owner: MKFT REAL ESTATE LLC
Priority Date: 3/30/1964
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	3/15 to 10/15	4.5 CFS	1012.5 AF
	<u>Total Diversion</u>	4.5 CFS	1012.5 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 26,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	NW1/4SW1/4	Sec. 26,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	SE1/4NW1/4	Sec. 35,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	NE1/4SE1/4	Sec. 26,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	NE1/4NW1/4	Sec. 36,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	NE1/4NE1/4	Sec. 36,	Twp 04S,	Rge 01W B.M.
OWYHEE County				

Place of Use

IRRIGATION Within OWYHEE County

T04S R01W S26	SWSE	40.00	T04S R01W S26	SESE	40.00
T04S R01W S34	SWNE	16.00	T04S R01W S34	SENE	29.00
T04S R01W S35	NENE	10.00	T04S R01W S35	NWNE	30.00
T04S R01W S35	NENW	40.00	T04S R01W S35	NWNW	20.00

Total Acres: 225

Page _____ of _____

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. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 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.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-02278 & 57-02277

Decreed Date: 1/17/2003

Page _____ of _____

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

Current Water Right No.: 57-2278

Current Owner: MKFT REAL ESTATE LLC
Priority Date: 9/14/1964
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	3/01 to 10/31	2.8 CFS	630 AF
	<u>Total Diversion</u>	2.8 CFS	630 AF

Location of Point(s) of Diversion

GROUND WATER	NE 1/4 SE 1/4	Sec. 26,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	NE 1/4 NW 1/4	Sec. 36,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	SE 1/4 NW 1/4	Sec. 35,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	SW 1/4 SE 1/4	Sec. 26,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	NW 1/4 SW 1/4	Sec. 26,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	NE 1/4 NE 1/4	Sec. 36,	Twp 04S,	Rge 01W B.M.
OWYHEE County				

Place of Use

IRRIGATION Within OWYHEE County

T04S R01W S26	SWSW	40.00	T04S R01W S26	SESW	40.00
T04S R01W S26	NESE	30.00	T04S R01W S26	NWSE	30.00

Total Acres: 140

Page _____ of _____

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. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 31 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.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-02277 & 57-02271

Decreed Date: 1/17/2003

Page _____ of _____

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

Current Water Right No.: 57-11711

Current Owner: MKFT REAL ESTATE LLC
Priority Date: 11/1/2007
Origin: Water Right
Status: Active
Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.6 CFS	134.1 AF
	<u>Total Diversion</u>	0.6 CFS	134.1 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 25,	Twp 04S,	Rge 01W B.M.
OWYHEE County				
GROUND WATER	SW1/4SE1/4	Sec. 26,	Twp 04S,	Rge 01W B.M.
OWYHEE County				

Place of Use

IRRIGATION Within OWYHEE County

T04S R01W S25	SWSW	26.00	T04S R01W S26	NESE	1.00
T04S R01W S26	SESE	2.80			

Total Acres: 29.8

Conditions of Approval:

1. R55 This right is for the use of trust water and is subject to review 5 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

Page _____ of _____

Licensed Date: 11/23/2012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by [Signature] Date 6/24/15 Preliminary check by NVA Date 9/21/15

Fee paid \$1,135- Date 6/24/15 Received by Q1 Receipt # W043221

Add'l fee paid 25. Date 12-22-14 Received by WESTERN Receipt # W1427010

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

TOTAL \$1160-

ACCOMMODATION

Instrument # 287041
MURPHY, OWYHEE, IDAHO
2015-06-19 03:31:18 No. of Pages: 1
Recorded for: ALLIANCE TITLE - BOISE PRODUCTIC
ANGELA BARKELL Fee: \$10.00
Ex-Officio Recorder Deputy: map
Index To: DEED QUIT-CLAIM
Electronically Recorded by Simplifile

QUIT CLAIM DEED

GRANTORS: Hart Creek Ranch, LLC c/o Lorna Steiner
GRANTOR'S ADDRESS: 24597 Collett Road, Oreana, ID 83650
GRANTEE: MKFT Real Estate, LLC
GRANTEE'S ADDRESS: 601 E. Riverside Ave., Spokane, WA 99201
PROPERTY: Portions of water right 57-2271 for irrigation appurtenant to Grantor's property located in the NE 1/4, Township 5S, Range 1W, Section 34.

Grantors quit claim to Grantee all of Grantors' right, title and interest in and to the property's irrigation rights authorized under water right 57-2271, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Neither Grantors nor Grantors' heirs, administrators, successors or assigns shall have, claim, or demand any right or title to the property irrigation rights or any part thereof.

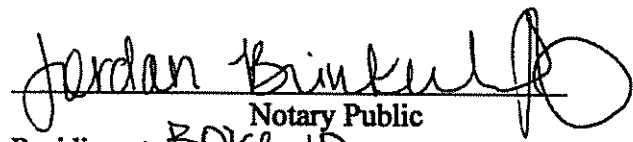
IN WITNESS WHEREOF, the Grantors have executed this Deed this 5th day of June, 2015.


Lorna Steiner, Manager

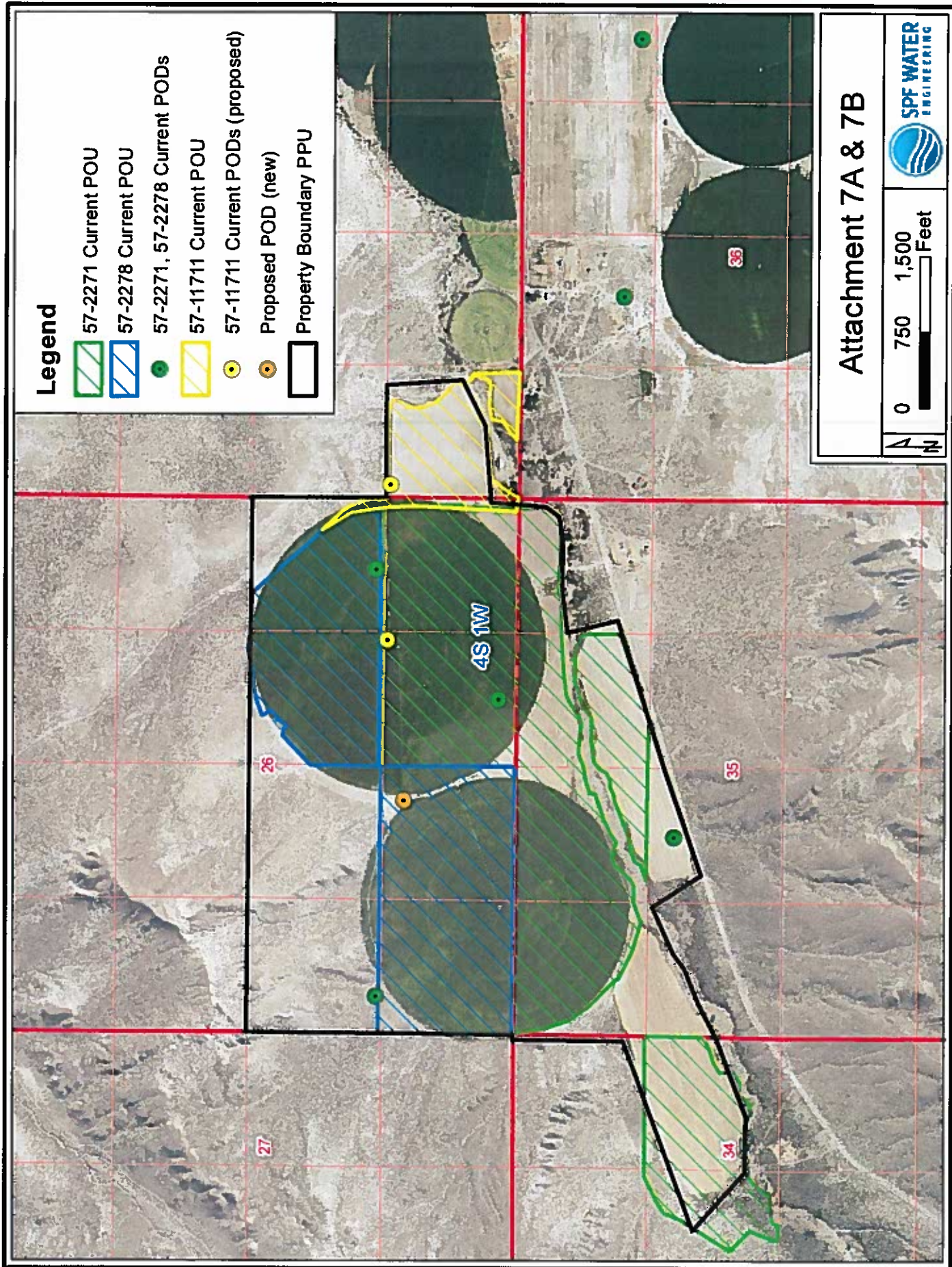
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5 of June, 2015.




Notary Public
Residing at Boise, ID

My commission Expires 01/13/2020

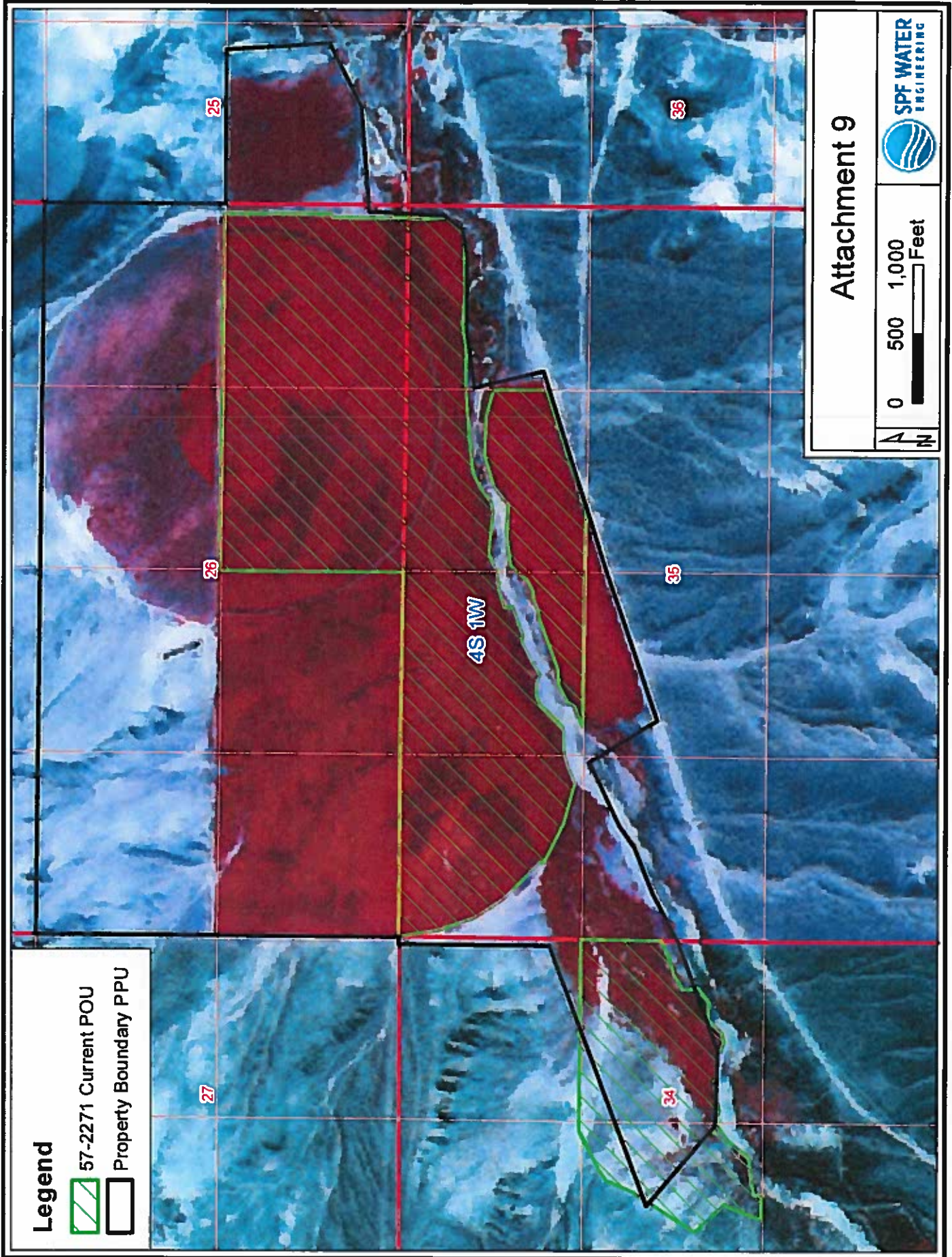


Legend

- 57-2271 Current POU
- 57-2278 Current POU
- 57-2271, 57-2278 Current PODs
- 57-11711 Current POU
- 57-11711 Current PODs (proposed)
- Proposed POD (new)
- Property Boundary PPU

Attachment 7A & 7B







State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 2, 2015

MKFT REAL ESTATE LLC
601 E RIVERSIDE AVE
SPOKANE WA 99201

Application for Transfer No. 80195

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the OWYHEE AVALANCHE on 10/7/2015 and 10/14/2015. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely
Administrative Assistant

CC:
SPF WATER ENGINEERING LLC
ATTN LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, October 01, 2015 3:27 PM
To: 'JENNIFER@OWYHEEAVALANCHE.COM'
Subject: Owyhee Legal Ads
Attachments: Owyhee Cover Letter.docx; Owyhee Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 10/7/15 & 10/14/15.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

October 1, 2015

LEGAL NOTICE DEPARTMENT
OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Application for Permit No. 57-11845
 Application for Permit No. 57-11862
 Application for Permit No. 57-11864
 Application for Transfer No. 80195
 Application for Transfer No. 79727

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/26/2015. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

57-11845

MICHAEL B IHLI
LINDA M IHLI
625 S SCHOOL AVE
KUNA, ID 83634

Point of Diversion NWNESE S13 T04S R01E OWYHEE County Source CASTLE CREEK Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE 11/16 to 02/28 2 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 200 AF

Total Diversion: 2 CFS 200 AF

Date Filed: 2/4/2014

Place of Use: WILDLIFE STORAGE
T04S R01E S12 SWNE SENE SE(ALL)

57-11862

ALVIN DAVISON
TINA DAVISON
PO BOX 35
MURPHY, ID 83650

Point of Diversion SESE S27 T02S R02W OWYHEE County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 6/11/2015

Place of Use: IRRIGATION

T02S R02W S27 SESE

Total Acres: 4

57-11864

MKFT REAL ESTATE LLC
601 E RIVERSIDE AVE
5TH FLOOR
SPOKANE, WA 99201

Points of Diversion SESW SWSE S26 T04S R01W OWYHEE County Source GROUND WATER

Point of Diversion SWSW S25 T04S R01W OWYHEE County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 1 CFS

Total Diversion: 1 CFS

Date Filed: 6/24/2015

Place of Use: IRRIGATION

T04S R01W S25 SWSW

T04S R01W S26 SW(ALL) SE(ALL)

T05S R01W S34 NENE SWNE SENE

T05S R01W S35 NENE NWNE SWNE NW(ALL)

Total Acres: 532

Application proposes 50 additional acres to be irrigated within a permissible place of use of 532 acres with water right nos. 57-2271, 57-2278, & 57-11711.

PROPOSED CHANGE OF WATER RIGHT(S)

MKFT Real Estate, LLC, of 601 E. Riverside Ave., Spokane, WA 99201, filed Transfer Application No. 80195 to consolidate the points of diversion for Right Nos. 57-2271, 57-2278, and 57-11711 to a proposed well in the SESW Sec. 26 T4S R1W, an existing well in the SWSE Sec. 26 T4S R1W, and a second existing well in the SWSW Sec. 25 T4S R1W. Transfer also proposes to create a permissible place of use for irrigation flexibility. All three rights authorize a total of 7.82 cfs and 1758.6 acre-feet. Priority dates range from 1964 to 2007. No other changes proposed.

PROPOSED CHANGE OF WATER RIGHT(S)

Idaho Water Company LLC of 1135 Valley Rd. S. Eden ID 83325 filed Application No. 79727 to transfer two water rights with 1969 priority dates from the Snake River totaling 2.5 cfs. The purpose of the transfer is to change the point of diversion and place of use to a location approximately 60 miles upstream. The current site is generally located south of the Snake River just west of the confluence with Castle Creek approximately 10 miles northeast of Oreana. The proposed site is located south of the Snake River just west of the confluence with Sailor Creek approximately two miles southwest of Hammett. The unchanged portion of one of the rights will remain at the current site near Oreana.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see

www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-

222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735

Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 10-26-2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/7/2015 and 10/14/2015



SPF WATER
ENGINEERING

June 22, 2015

RECEIVED

JUN 24 2015

WATER RESOURCES
WESTERN REGION

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: *Application for Permit*
Application for Transfer

Dear Angie,

Enclosed on behalf of MKFT Real Estate, LLC, are an *Application for Permit* and an *Application for Transfer* involving property they have recently purchased also known as Hart Creek Ranch.

Check No. 18108821 for \$1,385 is enclosed for the filing fees; \$250 for the permit application, \$1,060 for the transfer application and \$75 to split water right 57-11711 (the applicant has already paid \$25 towards changing ownership of water right 57-11711 per receipt W042706). Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Kevin Paulson, SVP for B of A Trustees

Enclosures

SPF file number: 162.0010