

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) WILLIAM A SIMON AND SHIRLEY M SIMON

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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☒ ☐ #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 <http://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.
- ☐ ☒ #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.)
- ☐ ☐ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 07 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant WILLIAM A SIMON Phone (208)764-2324

Mailing Address PO BOX 364, FAIRFIELD ID 83327 Email _____

Name of Applicant SHIRLEY M SIMON Phone (208)764-2324

Mailing Address PO BOX 364, FAIRFIELD ID 83327 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.

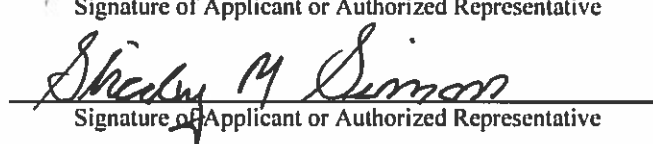
☒ No Representative

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	<u>William A. Simon</u> Print Name and Title if applicable	<u>7/7/15</u> Date
 Signature of Applicant or Authorized Representative	<u>Shirley M Simon</u> Print Name and Title if applicable	<u>7/7/15</u> Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-7288A	No	No	Yes	No	No	No
	37-20364	Yes	Yes	Yes	No	No	No
	37-20365	No	No	Yes	No	No	No
	37-20366	Yes	Yes	Yes	No	No	No
	37-20367	No	No	Yes	No	No	No
	37-20369	No	No	Yes	No	No	No
	37-21809	No	Yes	Yes	No	No	No
	37-22184	Yes	Yes	Yes	No	No	No
	37-22186	Yes	Yes	Yes	No	No	No
	37-22188	Yes	Yes	Yes	No	No	No

Associated Right(s): 37-20368

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**

Application filed to move water rights to two pivot sprinklers that are currently short on acres.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-22942	0.030 cfs	11.2 af	8.0	270.0	37-20364	0.700 cfs	300.1 af	N/A	~~222.0~~ 214.0
37-22943	0.100 cfs	35.3 af	13.0	270.0	37-20366	1.650 cfs	606.2 af	N/A	~~238.0~~ 213.0
37-21809	0.040 cfs	6.0 af	2.0	270.0		N/A	N/A	N/A	N/A
37-22944	0.030 cfs	7.8 af	2.6	270.0	37-22184	3.380 cfs	801.6 af	267.2	706.0
37-22945	0.060 cfs	11.1 af	3.7	270.0	37-22186	6.020 cfs	1103.7 af	367.9	706.0
37-22946	0.010 cfs	2.5 af	0.7	270.0	37-22188	1.000 cfs	248.1 af	70.9	706.0
37-7288A	1.890 cfs	618.0 af	206.0	270.0		N/A	N/A	N/A	N/A
37-20365	0.100 cfs	42.7 af	31.0	270.0		N/A	N/A	N/A	N/A
37-20367	0.270 cfs	115.1 af	38.0	270.0		N/A	N/A	N/A	N/A
37-20369	0.060 cfs	12.0 af	4.0	270.0		N/A	N/A	N/A	N/A

COMBINED TOTALS

2.430 cfs 810.2 af 270.0 270.0 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 2.43 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

☒ As shown in Part 1.

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

☐ No changes to place of use are proposed. (Proceed to #5.)

☒ As shown in Part 1.

☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 37-22942

(Original Water Right No. 37-20364)

Current Water Right Owner

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 9/27/1976

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.030 CFS	11.2 AFA	
Total Diversion			0.030 CFS	11.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											19.0	19.0					38.0
01S	15E	8			15.0	14.0	39.0	37.0	8.0	9.6	0.4				39.0	40.0	16.0	14.0	232.0

Right Acre Limit: 8.0

POU Total Acres: 270.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 37-22943

(Original Water Right No. 37-20366)

Current Water Right Owner

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 7/27/1953

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.100 CFS	35.3 AFA	
Total Diversion			0.100 CFS	35.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											19.0	19.0					38.0
01S	15E	8			15.0	14.0	39.0	37.0	8.0	9.6	0.4				39.0	40.0	16.0	14.0	232.0

Right Acre Limit: 13.0

POU Total Acres: 270.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-21809

Current Water Right Owner

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 8/19/1975

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.040 CFS	6.0 AFA	
Total Diversion			0.040 CFS	6.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											19	19					38
01S	15E	8			15.0	14.0	39.0	37.0	8.0	9.6	0.4				39.0	40.0	16.0	14.0	232.0

Right Acre Limit: 2.0

POU Total Acres: 270.0

IDHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes

Proposed Water Right No. 37-22944

(Original Water Right No. 37-22184)

Current Water Right Owner

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 10/1/1973

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.030 CFS	7.8 AFA	
Total Diversion			0.030 CFS	7.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											19.0	19.0					38.0
01S	15E	8			15.0	14.0	39.0	37.0	8.0	9.6	0.4				39.0	40.0	16.0	14.0	232.0

Right Acre Limit: 2.6

POU Total Acres: 270.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 37-22945

(Original Water Right No. 37-22186)

Current Water Right Owner

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 9/21/1976

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.060 CFS	11.1 AFA	
Total Diversion			0.060 CFS	11.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											19.0	19.0					38.0
01S	15E	8			15.0	14.0	39.0	37.0	8.0	9.6	0.4				39.0	40.0	16.0	14.0	232.0

Right Acre Limit: 3.7

POU Total Acres: 270.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 37-22946

(Original Water Right No. 37-22188)

Current Water Right Owner

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 9/21/1976

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.010 CFS	2.5 AFA	
Total Diversion			0.010 CFS	2.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											19.0	19.0					38.0
01S	15E	8			15.0	14.0	39.0	37.0	8.0	9.6	0.4				39.0	40.0	16.0	14.0	232.0

Right Acre Limit: 0.7

POU Total Acres: 270.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-7288A

Current Water Right Owner

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

AND/OR

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 10/1/1973

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	1.890 CFS	618.0 AFA	
Total Diversion			1.890 CFS	618.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											19	19					38
01S	15E	8			15.0	14.0	39.0	37.0	8.0	9.6	0.4				39.0	40.0	16.0	14.0	232.0

Right Acre Limit: 206.0

POU Total Acres: 270.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-20365

Current Water Right Owner

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

AND

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 9/27/1976

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.100 CFS	42.7 AFA	
Total Diversion			0.100 CFS	42.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											19	19					38
01S	15E	8			15.0	14.0	39.0	37.0	8.0	9.6	0.4				39.0	40.0	16.0	14.0	232.0

Right Acre Limit: 31.0

POU Total Acres: 270.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-20367

Current Water Right Owner

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

And/Or

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 7/27/1953

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.270 CFS	115.1 AFA	
Total Diversion			0.270 CFS	115.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											19	19					38
01S	15E	8			15.0	14.0	39.0	37.0	8.0	9.6	0.4				39.0	40.0	16.0	14.0	232.0

Right Acre Limit: 38.0

POU Total Acres: 270.0

HO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-20369

Current Water Right Owner

SHIRLEY M SIMON
 PO BOX 364
 FAIRFIELD, ID 83327

AND

WILLIAM A SIMON
 PO BOX 364
 FAIRFIELD, ID 83327

Priority Date: 10/1/1973

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.060 CFS	12.0 AFA	
Total Diversion			0.060 CFS	12.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											19	19					38
01S	15E	8			15.0	14.0	39.0	37.0	8.0	9.6	0.4				39.0	40.0	16.0	14.0	232.0

Right Acre Limit: 4.0

POU Total Acres: 270.0

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
One well to two pivot sprinkler systems. Currently using a PCC on this system.

- 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?
No, ☐ 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: Only Selby Crossing property (see attached letter from Northwest Farm Credit)

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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Land(s) will no longer be irrigated

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

- f. 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:

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

Current Water Right No. 37-21809

Current Water Right Owner SELBY CROSSING LLC
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 8/19/1975

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.040 CFS	6.0 AFA	
Total Diversion			0.040 CFS	6.0 AFA	

<u>Source and Point(s) of Diversion:</u> GROUND WATER	NESESE	Sec. 7 Twp 01S Rge 15E CAMAS County
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Place of Use: IRRIGATION

[illegible]

POU Total Acres: 2.0

Conditions/Remarks:

1. 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 domestic and stockwater portions of this water right recommended as 37-4067.

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 37-22184

Current Water Right Owner **SIMON FARMS INC**
PO BOX 403
FAIRFIELD, ID 83327

Priority Date: 10/1/1973

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	3.410 CFS	809.4 AFA	
Total Diversion			3.410 CFS	809.4 AFA	

Source and Point(s) of Diversion:
GROUND WATER SENESE Sec. 17 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twps	Rngs	Secs	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	15E	4							5.3	6.2	39.0	37.0	27.0	30.0		2.5	0.4		147.4
01S	15E	9		1.1	0.4		38.0	37.0	40.0	31.0	36.0	40.0	39.0	32.0		0.8	0.5		295.8
01S	15E	17	33.0	33.0	34.0	33.0	0.9			1.4	0.8			0.7	33.0	34.0	33.0	33.0	269.8

Right Acre Limit:	269.8
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POU Total Acres: 713.0

Conditions/Remarks:

1. This right is limited to the irrigation of 269.8 acres within the place of use described above in a single irrigation season.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Rights 37-22184, 37-22186, and 37-22188 when combined shall not exceed a total diversion rate of 6.08 cfs, a total annual maximum diversion volume of 2174.8 af, and the irrigation of 713 acres.
4. 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.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 37-22188

Current Water Right Owner **SIMON FARMS INC**
PO BOX 403
FAIRFIELD, ID 83327

Priority Date: 9/21/1976

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	1.010 CFS	250.6 AFA	
Total Diversion			1.010 CFS	250.6 AFA	

Source and Point(s) of Diversion:
GROUND WATER SENESE Sec. 17 Twp 01S Rge 15E CAMAS County

Place_of_Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	15E	4							5.3	6.2	39.0	37.0	27.0	30.0		2.5	0.4		147.4
01S	15E	9		1.1	0.4		38.0	37.0	40.0	31.0	36.0	40.0	39.0	32.0		0.8	0.5		295.8
01S	15E	17	33.0	33.0	34.0	33.0	0.9			1.4	0.8		0.7		33.0	34.0	33.0	33.0	269.8

Right Acre Limit:	71.6
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POU Total Acres: 713.0

Conditions/Remarks:

1. 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. 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.
3. Rights 37-22184, 37-22186, and 37-22188 when combined shall not exceed a total diversion rate of 6.08 cfs, a total annual maximum diversion volume of 2174.8 af, and the irrigation of 713 acres.
4. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Rights 37-22186 and 37-22188 when combined shall not exceed a total diversion rate of 6.08 cfs, a total annual maximum diversion volume of 1365.4 af, and the irrigation of 443.2 acres.
7. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
8. This right is based upon an enlargement of Right No. 37-22186 pursuant to Section 42-1426, Idaho Code.

WYOMING DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

9. This right is limited to the irrigation of 71.6 acres within the place of use described above in a single irrigation season.

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

Current Water Right No. 37-7288A

Current Water Right Owner

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

And/Or

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 10/1/1973

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	1.890 CFS	618.0 AFA	
Total Diversion			1.890 CFS	618.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											40.0	40.0					80.0
01S	15E	8	8.0	8.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	39.0	39.0	414.0

Right Acre Limit: 206.0

POU Total Acres: 494.0

Conditions/Remarks:

1. This right is limited to the irrigation of 206 acres within the place of use described above in a single irrigation season.
2. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.
3. 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.
4. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

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

Current Water Right No. 37-20365

Current Water Right Owner

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

AND

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 9/27/1976

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.100 CFS	42.7 AFA	
Total Diversion			0.100 CFS	42.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											40.0	40.0					80.0
01S	15E	8	8.0	8.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	39.0	39.0	414.0

Right Acre Limit: 31.0

POU Total Acres: 494.0

Conditions/Remarks:

1. This right is limited to the irrigation of 31 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365 and 37-20367 when combined shall not exceed a total annual maximum diversion volume of 117.5 af at the field headgate, and the irrigation of 38.0 acres.
3. Rights 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
4. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.
5. 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.
6. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

HO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

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

Current Water Right No. 37-20369

Current Water Right Owner

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

AND

WILLIAM A SIMON
PO BOX 364
FAIRFIELD, ID 83327

Priority Date: 10/1/1973

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.060 CFS	12.0 AFA	
Total Diversion			0.060 CFS	12.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNWSE

Sec. 8 Twp 01S Rge 15E CAMAS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	5											40.0	40.0					80.0
01S	15E	8	8.0	8.0	40.0	40.0	40.0		40.0	40.0					40.0	40.0	39.0	39.0	414.0

Right Acre Limit: 4.0

POU Total Acres: 494.0

Conditions/Remarks:

1. This right is limited to the irrigation of 4.0 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
3. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.
4. 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.
5. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

HO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

9. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B**

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Total Acres (for irrigation use) 0

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Total Acres (for irrigation use) 13

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Total Acres (for irrigation use) 7

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Total Acres (for irrigation use)	7
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**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B**

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Transfer No. 79997

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it Attachment #7a.

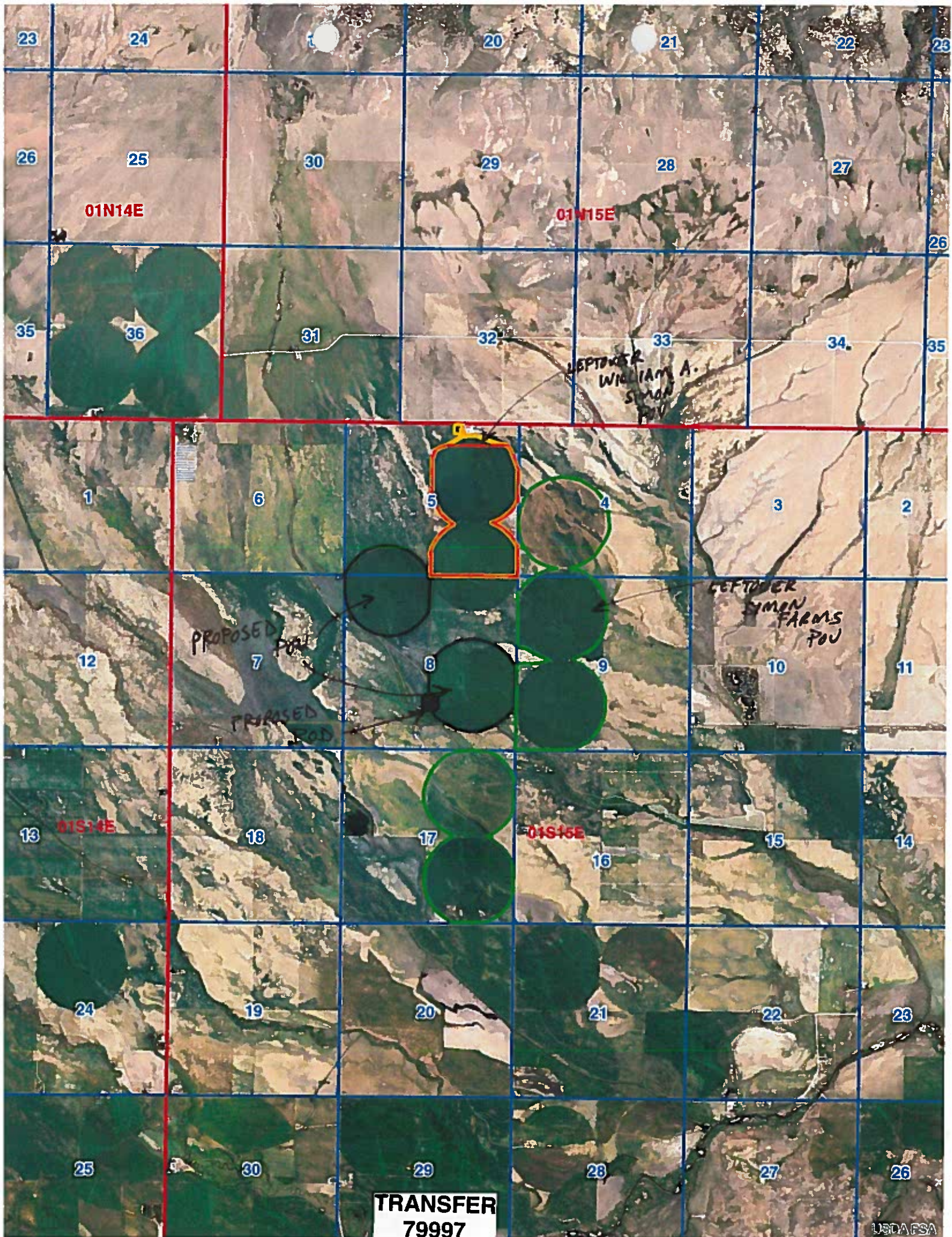
☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it Attachment #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 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

1. 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.:

Add'l Fee Paid	Date	Received By	Receipt #
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THIS INDENTURE, Made this 1st day of February, in the year of our Lord
one thousand nine hundred and eighty-nine between Simon Farms Inc.

a corporation duly organized and existing under the laws of the State of Idaho

and having its principal office in Idaho at Fairfield in the County of

Camas, party of the first part, and William A. Simon and Shirley M.
Simon, husband and wife,

of Fairfield, County of Camas, State of
Idaho parties of the second part,

WITNESSETH, That the said party of the first part, having been hereunto duly authorized by resolution of its Board of
Directors, for and in consideration of the sum of one dollar and other valuable considerations
DOLLARS,

lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey
and confirm unto the said parties of the second part, and to their heirs and assigns forever, all
the following described real estate situated in, County of Camas

State of Idaho, to-wit:

Township 1 S, Range 15 EBM:

Section 8: E1/2.

Section 9: S1/2 NE1/4.

Said real property consisting of approximately 400 acres.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise
appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate,
right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurten-
ances, unto the parties of the second part, and to their heirs and assigns forever. And the said party of the
first part, and its successors, the said premises in the quiet and peaceable possession of the said parties of the second
part their heirs and assigns, against the said party of the first part, and its successors, and against all and

every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The party of the first part has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary in pursuance to said resolution the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Simon Farms Inc.
By William A. Simon
Its ✓ President.
Attest Shirley May Simon
Its ✓ Secretary.

STATE OF IDAHO,
COUNTY OF Camas

ss.

On this 10 day of February

in the year 1989, before me

personally appeared

William A Simon
Shirley May Simon
Persons

known to me to be the

, a Notary Public in and for the said State,

of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.

Derral Huppler

Notary Public for the State of Idaho,
Residing at Fairfield, Idaho.

mMAIL TAX NOTICE TO:

Name William A. Simon

Address P.O. Box 364

City & State Fairfield Id.

No. -64696

Corporation Warranty Deed

for

— TO —

Dated 10, 1989

STATE OF IDAHO,
COUNTY OF Camas } ss.

I hereby certify that this instrument was filed for record at request of

William A. Simon

at 10 minutes past 10th day

o'clock A.M., this 10th day

of Feb, A.D. 1989

in my office, and duly recorded in Book 26

of Deeds at page 760

ROLLE BENNETT

Ex-Officio Recorder.

By Conroy Ostrom Deputy.

Fees, \$ 6.00

Mail to

SYMS-YORK CO., BOISE

50053SM

TitleFact, Inc.

P.O. Box 486

Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

Record at the best of
First American Title
at 4:10 P.M.
April 1, 2004
34
Deeds
184

By Barbrie D. Walker
Fees \$ 15.00

076974

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED BAUSCHER RANCH, INC., an Idaho corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto SELBY CROSSING, LLC, an Idaho Limited Liability Company, Grantee, whose address is: P.O. Box 364, Fairfield, ID 83327, the following described real estate, situated in Twin Falls County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: March 9, 2004

BAUSCHER RANCH, INC.

BY: Randy Bauscher
RANDY BAUSCHER, President

BY: Allen Bauscher
ALLEN BAUSCHER, Vice-President

BY: Paula B. Forney
PAULA FORNEY, Secretary

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 9th day of March, 2004, before me, the undersigned, Notary Public in and for said State, personally appeared RANDY BAUSCHER, known to me to be the President; ALLEN BAUSCHER known to me to be the Vice-President and PAULA FORNEY known to me to be the Secretary of the corporation that executed this instrument, or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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

Sue M. Moore
Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 11-28-2008



TRANSFER 79997

184

✓ Township 1 South, Range 15, East of the Boise Meridian.
Section 5:

Lots 3 and 4, S1/2NW1/4, SW1/4

Parcel II

Township 1 South, Range 15, East of the Boise Meridian.
Section 7:

All of that portion lying north of the Railroad right-of-way, and that portion of the

S1/2SE1/4 lying South of the Railroad right-of-way, except that portion of the Highway right-of-way to the State of Idaho as described in a Deed recorded in Book 15 of Deeds, Page 57, and recorded as Instrument No. 13935, records of Camas County, Idaho.

Also Described as Follows:

A parcel of land located in Section 7, Township 1 South, Range 15 East, Boise Meridian, Camas County, Idaho, generally described as that land in the Southeast Quarter of said Section 7 lying South of the land formerly known as the Central Idaho Railroad Right-of-Way, and more particularly described as follows:

Commencing at the Southeast corner of said Section 7, from which the East Quarter corner of said Section 7 bears North 00°21'21" East, 2630.16 feet; thence North 00°21'21" East along the East boundary of said Section 7 for a distance of 40.00 feet to a point on the Northerly Right-of-Way of US Highway 20 as described in Right-of-Way Deed Instrument No: 13935 filed in Camas County Records on March 28, 1931, and being the Point of Beginning; thence North 89°40'04" West along said Northerly Right of Way of US Highway Number 20 for a distance of 2,643.09 feet to a point on the Westerly boundary of the SE1/4 of said Section 7; thence North 00°22'37" East along the Westerly boundary of the SE1/4 of said Section 7 for a distance of 713.80 feet to a point on the Southerly boundary of the land formerly known as the Central Idaho Railroad Right-of-Way as described in Warranty deed between Frances M. Selby, Grantor, to Central Idaho Railroad, Grantee, Book 80, Page 35 of Blaine County Records; thence South 89°32'47" East along said Central Idaho Railroad Right-of-Way for a distance of 2,642.03 feet to the Easterly boundary of the SE1/4 of said Section 7; Thence South 00°21'21" West along the Easterly boundary of the SE1/4 of said Section 7 for a distance of 708.20 feet to the Point of Beginning.

Said Parcel is subject to a county road easement, 30 feet in width along and adjacent to the East boundary of said Section 7.

Also

A parcel of land located in Section 7, Township 1 South, Range 15 East, Boise Meridian, Camas County, Idaho, generally described as that land in said Section 7 lying North of the land formerly known as the Central Idaho Railroad Right-of-Way, and more particularly described as follows:

Commencing at the Southeast corner of said Section 7, from which the East Quarter corner of said section 7 bears North 00°21'21" East, 2630.16 feet; thence North 00°21'21" East along the East boundary of said Section 7 for a distance of 40.00 feet to a point on the Northerly Right of Way of US Highway 20 as described in

VALID ONLY IF SCHEDULE B AND
COVER ARE ATTACHED

ALTA Plain Language Commitment
Form No.: 1344-A (1982)
(K27646.PFD/K27545/28)

SCHEDULE A

(Continued)

Order No.: K27545

Right-of-Way Deed, recorded as Instrument No. 13935 filed in Camas County records on March 28, 1931; thence

North 89°40'04" West along said Northerly Right-of-Way boundary of U.S. Highway Number 20 for a distance of 2,643.09 feet to a point on the Westerly boundary of the SE1/4 of said Section 7;

thence

North 00°22'37" East along the Westerly boundary of the SE1/4 of said Section 7 for a distance of 813.79 feet to a point on the Northerly boundary of the land formerly known as the Central Idaho Railroad Right-of-Way as described in Warranty deed between Frances M. Selby, Grantor, to Central Idaho Railroad, Grantee, Book 80, Page 35 of Blaine County Records and in Warranty deed between Bernhard Schweers, Grantor, to Central Idaho Railroad, grantee, Book 77, Page 69 of Blaine County Records, and being The Point of Beginning; thence

North 00°22'37" East along the Westerly boundary of the SE1/4 of said Section 7 for a distance of 25.00 feet to a point on the Northerly boundary of the land formerly known as the Central Idaho Railroad Right-of-Way as described in Warranty deed between Bernhard Schweers, grantor, to Central Idaho Railroad, Grantee, Book 77, Page 71 of Blaine County records; thence

North 89°32'47" West along said Railroad Right-of-Way boundary for a distance of 2,641.97 feet to a point on the Westerly boundary of the SW1/4 of said Section 7; thence North 00°32'07" East along the Westerly boundary of said SW1/4 for a distance of 1,748.87 feet to the West Quarter corner of Said Section 7; thence

North 00°17'27" East along the Westerly boundary of the NW1/4 of said Section 7 for a distance of 2,684.92 feet to the Northwest corner of said section 7, thence

South 89°02'25" East along the Northerly boundary of the NW1/4 of said Section 7 for a distance of 2,641.30 feet to the North Quarter corner of said Section 7; thence

South 89°02'25" East along the Northerly boundary of the NE1/4 of said Section 7 for a distance of 2,641.31 feet to the Northeast corner of said Section 7; thence

South 00°21'21" West along the Easterly boundary of the NE1/4 of said Section 7 for a distance of 2,630.15 feet to the East Quarter corner of said Section 7; thence

South 00°21'21" West along the SE1/4 of said Section 7 for a distance of 1,781.96 feet to a point on the Northerly boundary of said Railroad Right-of-Way; thence

North 89°32'47" West along said Railroad Right-of-Way for a distance of 2,642.79 feet to a point on the Westerly boundary of the SE1/4 of said Section 7 and the Point of Beginning.

Said Parcel is subject to county road easements, 30 feet in width along and adjacent to the East boundary of said Section 7, and 25 feet in width along and adjacent to the West boundaries of said Section 7.

Parcel III

Township 1 South, Range 15, East of the Boise Meridian Camas County, Idaho.
Section 8:

VALID ONLY IF SCHEDULE B AND
COVER ARE ATTACHED

ALTA Plain Language Commitment
Form No.: 1344-A (1982)
(K27545.PFD/K27545/28)

SCHEDULE A

(Continued)

Order No.: K27545

NW1/4, N1/2 of the SW1/4
and that portion of the SW1/4SW1/4 more particularly described as follows:

Being a parcel of land in the SW1/4 of the SW1/4 of Section 8:
Beginning at the Northwest corner of the SW1/4 of the SW1/4, thence
East following the 1/16 section line common to the SW1/4SW1/4 and the NW1/4SW1/4 to
the north east corner of the SW1/4SW1/4, thence
South, following the 1/16 section line common to the SW1/4SW1/4 and the SE1/4SW1/4 to its
intersection with the north line of the O.S.L.R.R. right-of-way a distance of 480.50 feet.,
thence
West, following this right-of-way line to its intersection with the section line common to
Section 7 and 8, Township 1 South Range 15 East, thence
North, following this section line to the NW corner of the SW1/4SW1/4 of section 8,
Township 1 South, Range 15 East of the Boise Meridian a distance of 482 feet to the
Point of Beginning.

Together with the following parcel of Land more particularly described as follows:

Being a parcel of land in the SE1/4 of the SW1/4 of Section 8:
Beginning at the Northwest corner of the SE1/4SW1/4, thence
East, following the 1/16 section line common to the SE1/4SW1/4 and the NE1/4SW1/4, to
the Northeast corner of the SE1/4SW1/4, thence
South, following the North-South 1/4 Section line to its intersection with the north line of
the O.S.L.R.R. right-of-way a distance of 479 feet., thence
West following this right-of-way line to its intersection with the 1/16 section line common
to the SW1/4SW1/4 and the SE1/4SW1/4, thence
North, following the 1/16 Section line to the Northwest corner of the SE1/4SW1/4 of
Section 8, Township 1 South, Range 15 East of the Boise Meridian, a distance of 480.50
feet to the Point of Beginning.

Excepting therefrom the following described parcel:

A parcel of land located in the Southwest Quarter of Section 8, Township 1 South, Range
15 East, Boise Meridian, Camas County, Idaho, and more particularly described as
follows:

Commencing at the Southwest corner of said Section 8, from which the West Quarter
corner of said Section 8 bears North 00°21'21" East, 2,630.16 feet; thence
North 00°21'21" East along the west boundary of the SW1/4 of said Section 8 for a
distance of 848.20 feet to the Northerly Boundary of the land formerly known as the Union
Pacific Railroad right-of-way and the Point of Beginning; thence
South 89°32'47" East along said Railroad right-of-way a distance of 911.00 feet; thence
North 00°21'21" East and parallel with the West boundary of the SW1/4 of said Section 8
for a distance of 618.72 feet to an existing fence line; thence

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COVER ARE ATTACHED

ALTA Plain Language Commitment
Form No.: 1344-A (1982)
(K27545.PFD/K27545/28)

SCHEDULE A

(Continued)

Order No.: K27545

North 88°28'19" West along said fence line for a distance of 911.19 feet to a point on the west boundary of the SW1/4 of said Section 8; thence South 00°21'21" West along the West boundary of the SW1/4 of said Section 8 for a distance of 835.80 feet to the Point of Beginning.

Subject to the rights of a public road which affects the Westerly 30.00 feet thereof.

Parcel IV

Township 1 South, Range 15 East, Boise Meridian in Camas County, Idaho.

Section 18: Lots 1, 2, E1/2NW1/4, NE1/4, Except the Highway right-of-way to the State of Idaho as described in a Deed recorded in Book 15 of Deeds, Page 57, as Instrument No. 13934, records of Camas County, Idaho, and except Highway Right-of-Way to the State of Idaho as described in a Deed recorded in Book 19 of Deeds, Page 235, as Instrument No. 31427, records of Camas County, Idaho, and except Highway right-of-way to the State of Idaho as described in Book 29 of Deeds, Page 123, as Instrument No. 68535, records of Camas County, Idaho.

According to the County Assessor's office, the above described property is commonly known as:

Sections 5, 7, 8 and 18, Township 1 South, Range Camas County Idaho 83327

**VALID ONLY IF SCHEDULE B AND
COVER ARE ATTACHED**

**ALTA Plain Language Commitment
Form No.: 1344-A (1982)
(K27545.PFD/K27545/28)**

No. C 43041	Due no later than Nov 30, 2014 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.		BILL R SIMON 600 EAST 150 NORTH FAIRFIELD ID 83327			
	SIMON FARMS INC. BILL R SIMON P.O. BOX 403 FAIRFIELD ID 83327		3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
TREASURER	DAVID A SIMON	500 EAST 50 SOUTH	FAIRFIELD	ID	USA	83327
SECRETARY	WILLIAM A SIMON	450 EAST 200 NORTH	FAIRFIELD	ID	USA	83327
PRESIDENT	BILL R SIMON	600 EAST 150 NORTH	FAIRFIELD,	ID	USA	83327
5. Organized Under the Laws of:		6. Annual Report must be signed.*				
ID C 43041		Signature: William Simon			Date: 09/19/2014	
		Name (type or print): William Simon			Title: President	
Processed 09/19/2014		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 79997

No. W 27376	Due no later than Dec 31, 2014 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. SELBY CROSSING LLC DAVID A SIMON PO BOX 545 FAIRFIELD ID 83327 USA		DAVID A SIMON 500 E 50 S FAIRFIELD 83327			
			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
MEMBER	WILLIAM A SIMON	PO BOX 364	FAIRFIELD	ID		83327
MEMBER	WILLIAM R SIMON	PO BOX 403	FAIRFIELD	ID		83327
MEMBER	DAVID A SIMON	PO BOX 545	FAIRFIELD	ID		83327
5. Organized Under the Laws of: ID W 27376		6. Annual Report must be signed.* Signature: David A. Simon Name (type or print): David A. Simon Date: 10/18/2014 Title: Member				
Processed 10/18/2014		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 79997

AGREEMENT

SELBY CROSSING, LLC, agrees to allow WILLIAM A. and SHIRLEY SIMON, owners of water rights Nos. 37-20367, 37-20365, 37-7288A, and 37-20369 to use these water rights on their adjacent property in sections 5 and 8 all in T1S, R15E, in Camas County, Idaho.

SELBY CROSSING, LLC whose owners are William "R. Simon, David A. Simon and William A. Simon, agrees to use a portion of the above stated water rights on the NW 1/4, T1S, R15E, S8 and the SW 1/4, T1S, R15E, S5. This adjacent property is owned by SELBY CROSSING, LLC. The parties to this agreement acknowledge that the above stated water rights will remain the property of William A. Simon and Shirley Simon.

This agreement is entered into on November 12, 2008.

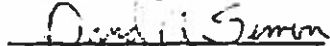
SELBY CROSSING, LLC

Members:

William R. Simon



David A. Simon



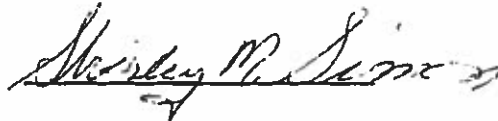
William A Simon



WILLIAM A. SIMON



SHIRLEY M. SIMON



WATER AGREEMENT

SELBY CROSSING, LLC, agrees to allow WILLAM A. and SHIRLEY M. SIMON, owners of water rights Nos. 37-20367, 37-20365, 37-7288A, and 37-20369 along with water rights Nos. 37-21809; a 13 acre portion of 37-20366 (to be renumbered to 37-22943); and an 8 acre portion of 37-20364 (to be renumbered to 37-22942); and a 2.6 acre portion of 37-22184 (to be renumbered to 37-22944); and a 3.7 acre portion of 37-22186 (to be renumbered to 37-22945); and a 0.7 acre portion of 37-22188 (to be renumbered to 37-22946) to use these water rights on their adjacent property in sections 5 and 8 all in T1S, R15E, in Camas County, Idaho.

SELBY CROSSING, LLC whose owners are William R. Simon, David A. Simon and William A. Simon agrees to use a portion of the above stated water rights on the NW ¼, T1S, R15E, S8 and the SW ¼, T1S, R15E, S5. This adjacent property is owned by SELBY CROSSING, LLC. The parties to this agreement acknowledge that the above stated water rights will remain the property of William A. Simon and Shirley M. Simon.

This agreement is entered into on May 19, 2015.

SELBY CROSSING, LLC

Members:


William R. Simon


WILLIAM A. SIMON


David A. Simon


SHIRLEY M. SIMON


William A. Simon

QUITCLAIM DEED

FOR VALUE RECEIVED, SIMON FARMS INC., of Fairfield, Camas County, Idaho, 83327, hereinafter called the GRANTOR, hereby grants and conveys unto:

William A. And Shirley Simon, husband and wife, of 200N, 463E, Fairfield, Idaho 83327, hereinafter called the GRANTEE, the following described real estate property, to -wit:

All within the STATE OF IDAHO, COUNTY OF CAMAS, TOWNSHIP 1 SOUTH, RANGE 15, EAST OF BOISE MERIDIAN

A 2.6 acre portion of water right No. 37-22184 (to be renumbered to 37-22944), a 3.7 acre portion of water right No. 37-22186 (to be renumbered to 37-22945), and a 0.7 acre portion of water right No. 37.22188 (to be renumbered to 37-22946).

Dated: 5.18.15

Bill R. Simon

Bill R. Simon, President Simon Farms Inc.

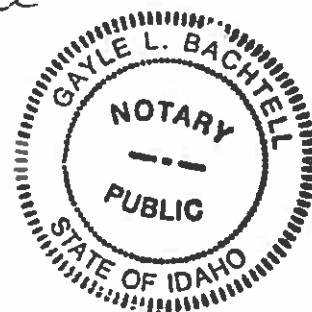
William A. Simon

William A. Simon, Secretary, Simon Farms Inc.

CAMAS COUNTY
Recorded for:
WILLIAM SIMON
4:00:55 pm 05-18-2015
2015-086540
No. Pages: 1 Fee: \$10.00
KORRI BLODGETT
County Clerk
Deputy: BWALTON

STATE OF IDAHO, COUNTY OF CAMAS, on this day of 18th May, 2015, before me, the undersigned, a notary Public in and for the State of Idaho, personally appeared BILL R. SIMON, and WILLIAM A. SIMON, personally known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same. WITNESS my hand and official seal: Gayle L. Bachtell

Residing at: Fairfield, ID
MCE: 10-19-2017



QUITCLAIM DEED

FOR VALUE RECEIVED, SELBY CROSSING LLC, of Fairfield, Camas County, Idaho, 83327, hereinafter called the GRANTOR, hereby grants and conveys unto:

William A. And Shirley Simon, husband and wife, of 200N, 463E, Fairfield, Idaho 83327, hereinafter called the GRANTEE, the following described real estate property, to -wit:

All within the STATE OF IDAHO, COUNTY OF CAMAS, TOWNSHIP 1 SOUTH, RANGE 15, EAST OF BOISE MERIDIAN

Water Right Number 37-21809 which consists of the right to irrigate 2.0 acres using 0.04 cfs for a total of 6.0 acre-feet of water annually.

Dated: 5-18-15

Bill R. Simon

Bill R. Simon, member

David A. Simon

David A. Simon, member

William A. Simon

William A. Simon, member

CAMAS COUNTY

Recorded for:

WILLIAM SIMON

4:04:19 pm 05-18-2015

2015-086541

No. Pages: 1

Fee: \$10.00

KORRI BLODGETT

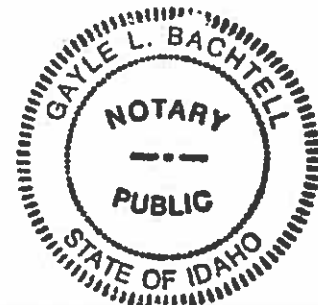
County Clerk

Deputy: BWALTON

STATE OF IDAHO, COUNTY OF CAMAS, on this day of 18th May, 2015, before me. The undersigned, a notary Public in and for the State of Idaho, personally appeared BILL R. SIMON, DAVID A. SIMON, and WILLIAM A. SIMON, personally known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal:

Gayle L. Bachtell
MCE: 10-19-2017
Residing at: Fairfield, ID



TRANSFER 79997

QUITCLAIM DEED

FOR VALUE RECEIVED, WILLIAM A. SIMON, of Fairfield, Camas County, Idaho, 83327, hereinafter called the GRANTOR, hereby grants and conveys unto:

William A. And Shirley Simon, husband and wife, of 200N, 463E, Fairfield, Idaho 83327, hereinafter called the GRANTEE, the following described real estate property, to -wit:

All within the STATE OF IDAHO, COUNTY OF CAMAS, TOWNSHIP 1 SOUTH, RANGE 15, EAST OF BOISE MERIDIAN

A portion of Water Right Nos. 37-20364 (to be renumbered 37-22942) and 37-20366 (to be renumbered 27-22943) consisting of the right to irrigate 13 acres using 0.10 cfs for a total of 35.3 acre-feet of water annually.

Dated: 5-18-15

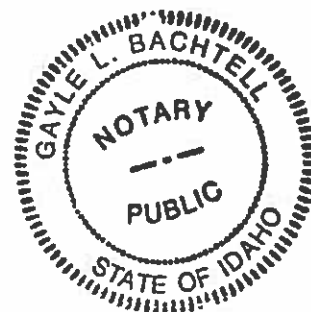
William A. Simon
William A. Simon

CAMAS COUNTY
Recorded for:
WILLIAM SIMON
4:07:22 pm 05-18-2015
2015-086542
No. Pages: 1 Fee: \$10.00
KORRI BLODGETT
County Clerk
Deputy: BWALTON

STATE OF IDAHO, COUNTY OF CAMAS, on this day of 18th May, 2015, before me. The undersigned, a notary Public in and for the State of Idaho, personally appeared WILLIAM A. SIMON, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS my hand and official seal:

Gayle L. Bachtell
Residing at: Fairfield, ID.
MCE: 10-19-2017





815 North College Road
PO Box 5059, Twin Falls, ID 83303-5059
Voice: 208.732.1000 Fax: 208.732.1005

RECEIVED

MAY 04 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

April 30, 2015

Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

Re: Water Right Transfer 79997 Selby Crossing LLC/ William Simon

To Whom It May Concern:

This letter will serve as notice to the Department of Water Resources that Northwest Farm Credit Services does not have a security interest in water right 37-21809, and therefore has no objection to water right transfer#79997 requested by William A. Simon. Should you need anything further please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Bennett", written in a cursive style.

Eric Bennett
Relationship Manager
208-732-1077
eric.bennett@northwestfcs.com

TRANSFER 79997



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 30, 2015

WILLIAM A SIMON
SHIRLEY M SIMON
PO BOX 364
FAIRFIELD, ID 83327

RE: Transfer No. 79997
Water Right No(s). 37-20364, 37-20365, 37-20366, 37-20367, 37-20369, 37-21809,
37-22184, 37-22186, 37-22188, 37-7288A

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **CAMAS COURIER on 8/5/2015 and 8/12/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**August 24, 2015**).

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 approval document.

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

Sincerely,

Denise Maline
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 30, 2015

RUSTY KRAMER
WATER DISTRICT #37-B
PO BOX 591
FAIRFIELD, ID 83327

RE: Transfer No. 79997
Water Right No(s). 37-20364, 37-20365, 37-20366, 37-20367, 37-20369, 37-21809,
37-22184, 37-22186, 37-22188, 37-7288A

Dear Rusty:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Wednesday, July 29, 2015 4:01 PM
To: Camas Courier
Subject: LEGAL NOTICE
Attachments: Camas Courier Cover Letter.docx; Camas Courier Ad.doc

Attached please find (1) legal notice being submitted for publication on August 5th & 12th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 29, 2015

LEGAL NOTICE DEPARTMENT
CAMAS COURIER
PO BOX 339
FAIRFIELD, ID 83327

RE: Transfer No. 79997

Water Right No(s): 37-20364, 37-20365, 37-20366, 37-20367, 37-20369, 37-21809, 37-22184,
37-22186, 37-22188, 37-7288A

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues).
If you cannot publish the notice 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 August 24, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79997**

WILLIAM A SIMON and SHIRLEY M SIMON, PO BOX 364, FAIRFIELD, ID 83327; has filed Application No. 79997 for changes to the following water rights within CAMAS County(s): Right No(s). 37-20364, 37-20365, 37-20366, 37-20367, 37-20369, 37-21809, 37-22184, 37-22186, 37-22188, 37-7288A; to see a full description of these rights and the proposed transfer, please see

www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes modifying the place of use of four irrigation rights that allow for the diversion of 2.23 cfs from a well located approximately 0.5 mile east and 0.25 mile north of the Highway 20 and Highway 46 intersection east of Fairfield. The place of use modification allows for irrigation of two pivots on a farm located approximately 0.0 to 1.2 miles north and 0.0 to 1.0 miles east of the Highway 20 and Highway 46 intersection east of Fairfield. The application also proposes transferring portions of six rights totaling 0.20 cfs and allowing for a total of 22 acres of irrigation from adjacent farms to the well and two pivots. After the transfer, a total of 2.43 cfs will be diverted from the well and used to irrigate 270 acres under the two pivots.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before August 24, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on August 5th & 12th, 2015

MEMORANDUM

Date: July 14, 2015
To: Transfer 79997 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes modifying the place of use of four irrigation rights, 37-7288A, 37-20365, 37-20367, and 37-20369 (2.23 cfs, 747.5 AF, and 248 acres) to allow for irrigation of two pivots on a farm located approximately 0.0 – 1.2 miles north and 0.0 – 1.0 miles east of the Highway 20 and Highway 46 intersection east of Fairfield. The application will also transfer all of right 37-21809 (0.04 cfs, 6.0 AF, and 2.0 acres) and portions of five rights, 37-20364 and 37-20366 (0.10 cfs, 35.3 AF, and 13 acres), and 37-22184, 37-22186, and 37-22188 (0.06cfs, 21.4 AF, and 7.0 acres), from adjacent farms to an existing well and the two pivots. After the transfer, a total of 2.43 cfs will be diverted from the well and used to irrigate 270 acres under the two pivots. Note that right 37-20368 is an associated right due to a combined limit condition with 37-20364 and 37-20366. The points of diversion and farms involved with the transfer are located within water district 37B so water master comments will be solicited.

- **Authority to File:**

The application is filed in the name of William and Shirley Simon, the current recorded owners of rights 37-7288A, 37-20365, 37-20367, and 37-20369 and the owners of the east most of the two pivots that comprise the proposed place of use. The other, west, pivot is located on land owned by Selby Crossing, LLC (see deeds in file). The application includes copies of quitclaim deeds conveying right 37-21809 and the portions of rights 37-20364, 37-20366, 37-22184, 37-22186, and 37-22188 involved with the transfer to William and Shirley Simon. The application also includes a copy of an agreement signed by representatives of Selby Crossing LLC allowing William and Shirley Simon to use their rights on the west pivot and acknowledging that the rights will remain in the name of William and Shirley Simon. A letter from Northwest Farm Credit Services agreeing to the proposed transfer has also been included with the application.

- **Water Right Validity:**

The rights involved with the transfer were decreed in the SRBA in 2007 - 2010. Review of recent aerial photography indicates that the land involved with the transfer appears irrigated.

- **Injury to Other Water Rights:**

None anticipated. The proposed changes in point of diversion consist of moving relatively small amounts of water from wells that are all located within 1.2 miles of the proposed new point of diversion (existing well in Section 8).

- **Enlargement of Use:**

None anticipated.

- **Local Public Interest:**

No issues anticipated. The application will be subject to public notice and protest.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on Economy of the Local Area:**

None anticipated.

- **Effect of the Agricultural Base of the Local Area:**

None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

TO: Transfer # 79997 File

FROM: Corey Skinner

DATE: July 13, 2015

SUBJECT: Filing Fee

The filing fee, \$1025.00, for this transfer is based on the total amount of water being transferred plus ownership change fees. A 0.06 cfs portion of rights 37-22184, 37-22186, and 37-22188 is being transferred (7 acres / 713 acres x 6.08 cfs). A 0.10 cfs portion of rights 37-20364 and 37-20366 is being transferred (13 acres / 236 acres x 1.75 cfs). All, 0.04 cfs, of right 37-21809 is being transferred. A 0.20 cfs portion of rights 37-7288A, 37-20365, 37-20367, and 37-20369 is being transferred (22 acres / 248 acres x 2.23 cfs). The sum of 0.06 cfs, 0.10 cfs, 0.04 cfs and 0.20 cfs is 0.40 cfs. The transfer fee schedule for a transfer involving a flow rate of 0.21 – 1.00 cfs indicates that the filing fee is \$500.00. As part of the transfer, the ownership of five rights being split will be updated (five at \$100.00 each = \$500.00) and the ownership of one entire right will be updated (\$25.00) for a total of \$525.00 in ownership change fees. The total amount of water being transferred fee of \$500.00 plus the total ownership change fee of \$525.00 equals the total filing fee of \$1025.00.