

RECEIVED
JUN 19 2015

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80180

RECEIVED

JAN 21 2015

Department of Water Resources

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) Merlin Smith, Sr.

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 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.
- ☐ ☒ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Merlin Smith, Sr. Phone 317-3513

Mailing address 833 S Stout, Blackfoot, ID 83221 Email N/A

- ☐ 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 Jared M. Harris Phone 785-2310

Mailing address 266 W Bridge St., Blackfoot, ID 83221 Email jharris@bakerharrislaw.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.

Merlin Smith, Sr.
Signature of Applicant or Authorized Representative

Merlin Smith, Sr.
Print Name and Title if applicable

1/16/15
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

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

TO SELL THE WATER, TO DRY UP THE WATER, AND TO TRANSFER THE WATER TO A DIFFERENT FARM FOR IRRIGATION PURPOSES FOR USE BY NEW OWNERS.

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.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part					
☐ ☒	33-14928	0.04	Irrigation	04/01 to 11/01	Ground Water
☐ ☒	33-14930	0.025	Irrigation	04/15 to 10/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.065 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.065 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NE	SW	31	1S	34E	Bingham	Ground Water	

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	34E	31									3.6	0.5							4.1
Total Acres (for irrigation use)																			4.1

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:
Pump to Sprinkler Irrigation
-
- b. Who owns the property at the point(s) of diversion? Lea Maria Pehrson
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
The portion of the water right being transferred is being sold to Lea Maria Pehrson, pursuant to a Purchase Agreement.
-
- 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: Key Bank - Deed of Trust
-
- 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:
It will dry up
-
- e. 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:
N/A
-
- 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:

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

Insert Part 2A reports into the application following Part 1.

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

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

Right Number: 33-14928

1. amount 0.04 (cfs/ac-ft) for Irrigation purposes from 04/01 to 11/01
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/27/2014

WATER RIGHT NO. 33-14928

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MERLIN SMITH 833 S STOUT AVE BLACKFOOT, ID 83221 (208)317-3513
Original Owner	CONNECTICUT GENERAL LIFE INSURANCE CO
Original Owner	DWAINE NEF C/O CIGNA CORP S BLDG S-305 900 COTTAGE GROVE RD BLOOMFIELD, CT 06002

Priority Date: 05/25/1972

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.08 CFS	30.3 AFA
Total Diversion			0.08 CFS	

Location of Point(s) of Diversion:

Part 2A

GROUND WATER|NWNWSW|Sec. 26|Township 06N|Range 29E|BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	29E	26		NWSW	8.9									

Total Acres: 8.9

Conditions of Approval:

1. X35 Rights 33-14928 and 33-14930 when combined shall not exceed a total diversion rate of 0.13 cfs, a total annual maximum diversion volume of 32.1 af at the field headgate, and the irrigation of 8.9 acres.
2. T19 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.

Dates:

Licensed Date:

Decreed Date: 08/11/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

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

6/27/2014

WATER RIGHT NO. 33-14930

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MERLIN SMITH 833 S STOUT AVE BLACKFOOT, ID 83221 (208)317-3513
Original Owner	CONNECTICUT GENERAL LIFE INSURANCE CO
Original Owner	CATHERINE MEREDITH
Original Owner	WILLIAM F MEREDITH C/O CIGNA CORP S BLDG S-305 900 COTTAGE GROVE RD BLOOMFIELD, CT 06002

Priority Date: 04/11/1973

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.05 CFS	18.2 AFA
Total Diversion			0.05 CFS	

Location of Point(s) of Diversion:

Part 2A

GROUND WATER|NWNWSW|Sec. 26|Township 06N|Range 29E|BUTTE County

GROUND WATER|NWNWSE |Sec. 27|Township 06N|Range 29E|BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	29E	26		NWSW	8.9									

Total Acres: 8.9

Conditions of Approval:

1. X35 Rights 33-14928 and 33-14930 when combined shall not exceed a total diversion rate of 0.13 cfs, a total annual maximum diversion volume of 32.1 af at the field headgate, and the irrigation of 8.9 acres.
The period of use for the irrigation described under this right may be extended to a beginning date of 04/01 and an ending date of 10/31 provided that beneficial use of the water can be
2. X61 shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
3. T19 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.

Dates:

Licensed Date:

Decreed Date: 08/11/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre: 0.02

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.

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

[illegible]

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by SL Date 1/21/15

Preliminary check by _____ Date _____

Fee paid 200-17500 Date 1/24/15

Received by SL Receipt # E040575

Add'l fee paid _____ Date _____

Received by _____ Receipt # E041160

RECORDING REQUESTED BY:

Baker & Harris
266 W Bridge
Blackfoot, ID 83221

Instrument # 664153

BINGHAM COUNTY, IDAHO

2015-01-15 09:42:44 AM No. of Pages: 2

Recorded for: BAKER & HARRIS

PAMELA W. ECKHARDT Fee: \$13.00

Ex-Officio Recorder Deputy JPulley

Index To: WATER RIGHT/WELL AGREEMENT

Electronically Recorded by Simplifile

space above this line for Recording use only

WATER RIGHT DEED

For VALUABLE consideration, the receipt and sufficiency whereof is hereby acknowledged, MERLIN SMITH, SR., a married person dealing with his sole and separate property, Grantor, does hereby grant, sell and convey unto LEA MARIA PEHRSON, a married woman dealing with her sole and separate property, all of those certain water rights described as:

A portion of Water Right No. 33-14928, as 0.04 cubic feet per second, with the current point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 6 North, Range 29 E. B.M., Butte County, Idaho; and

A portion of Water Right No. 33-14930, as 0.025 cubic feet per second, with the current point of diversion of NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 6 North, Range 29 E. B.M., Butte County, Idaho.

TO HAVE AND TO HOLD all and singular the herein described property, together with all appurtenances unto the said Grantee and her heirs, successors, and assigns forever.

DATED this 16 day of December, 2014.

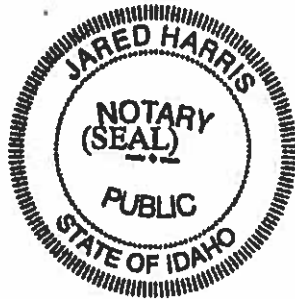


Merlin Smith, Sr.

STATE OF IDAHO)
) ss:
County of Bingham)

On this 16th day of December, 2014, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared MERLIN SMITH, SR., a married person dealing with his sole and separate property, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Jared Harris
Notary Public for Idaho
Residing at Blauvelt
My Commission Expires 8/23/17



202 Second St. NE
Canton, Ohio 44702

Idaho Department of Water Rights
900 N Skyline Dr. Suite A
Idaho Falls ID 83402-1718

Re: Water Rights Purchase/Transfers
Seller: Merlin Smith
Buyer: Lea Marie Pehrson
Baker & Harris Matter No. 9879

To Whom It May Concern:

This letter is to inform you that Key Bank is aware of and consents to the proposed transfer of the Point of Use and Point of Diversion for Water Right Numbers 33-14928 and 33-14930 to land owned by Lea Marie Pehrson, as described below:

Point of Diversion & Point of Use:

Part of Section 31, Township 1 South, Range 34 E.B.M., Bingham County, Idaho,
described as:

Beginning at a point on the Southerly right-of-way line of U.S. Highway 26 that is N. 00°08'18" W. 3606.26 feet and S. 51°11'00" E. 2290.15 feet from the SW corner of said Section 31; and running thence S. 51°11'00" E. 262.00 feet; thence S. 44°02'46" W. 953.63 feet; thence N. 30°35'34" W. 234.33 feet; thence N. 41°44'26" E. 868.38 feet to the point of beginning.

Sincerely,

KEYBANK, NA

By: Wendy R. Kramer
It's: Bank Officer

80180

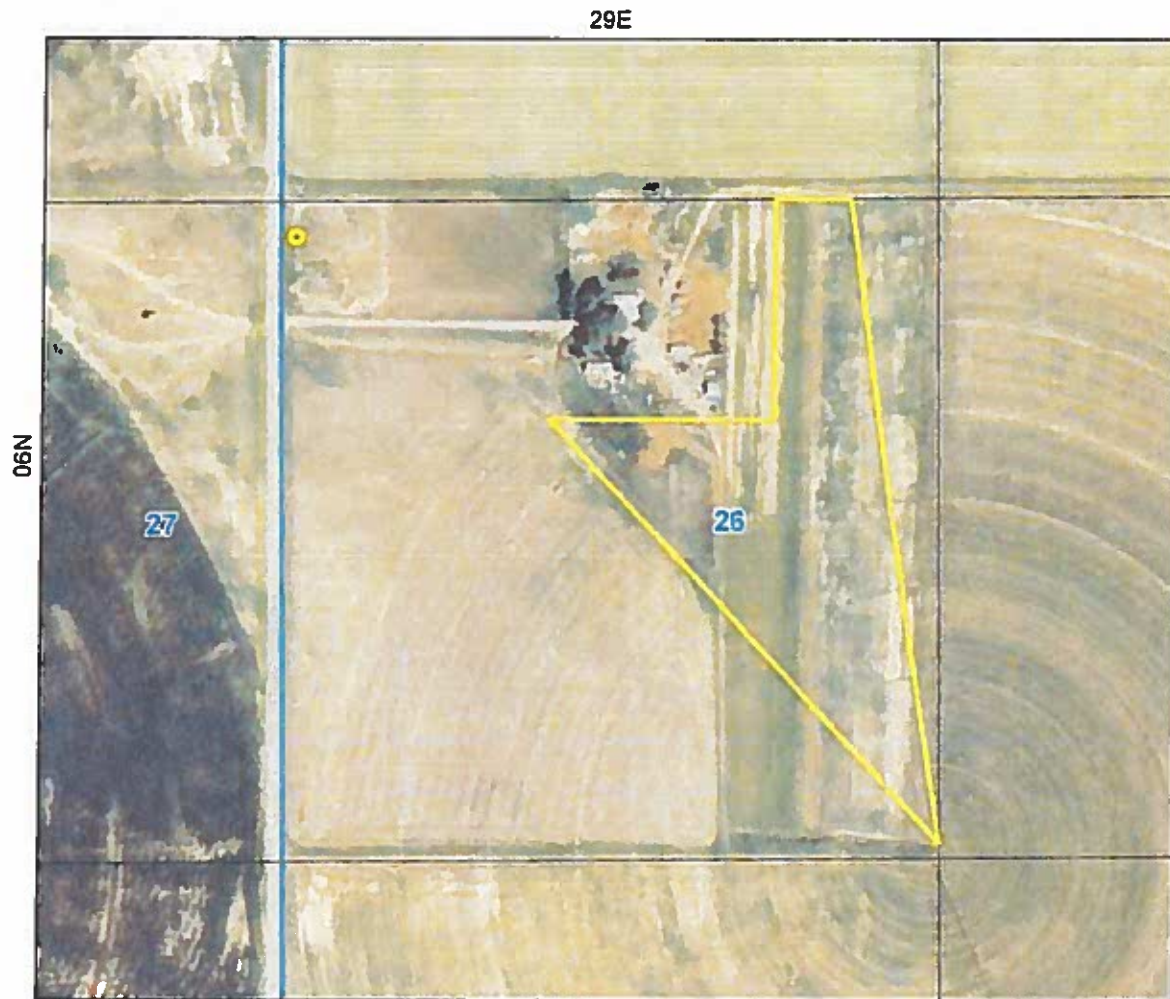
Attachment 6

State of Idaho
Department of Water Resources

Water Right
33-14928

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.0425 0.085 0.17 Miles



Map produced on December 05, 2014

(Current POD & POU) - Attachment 7a & 7b

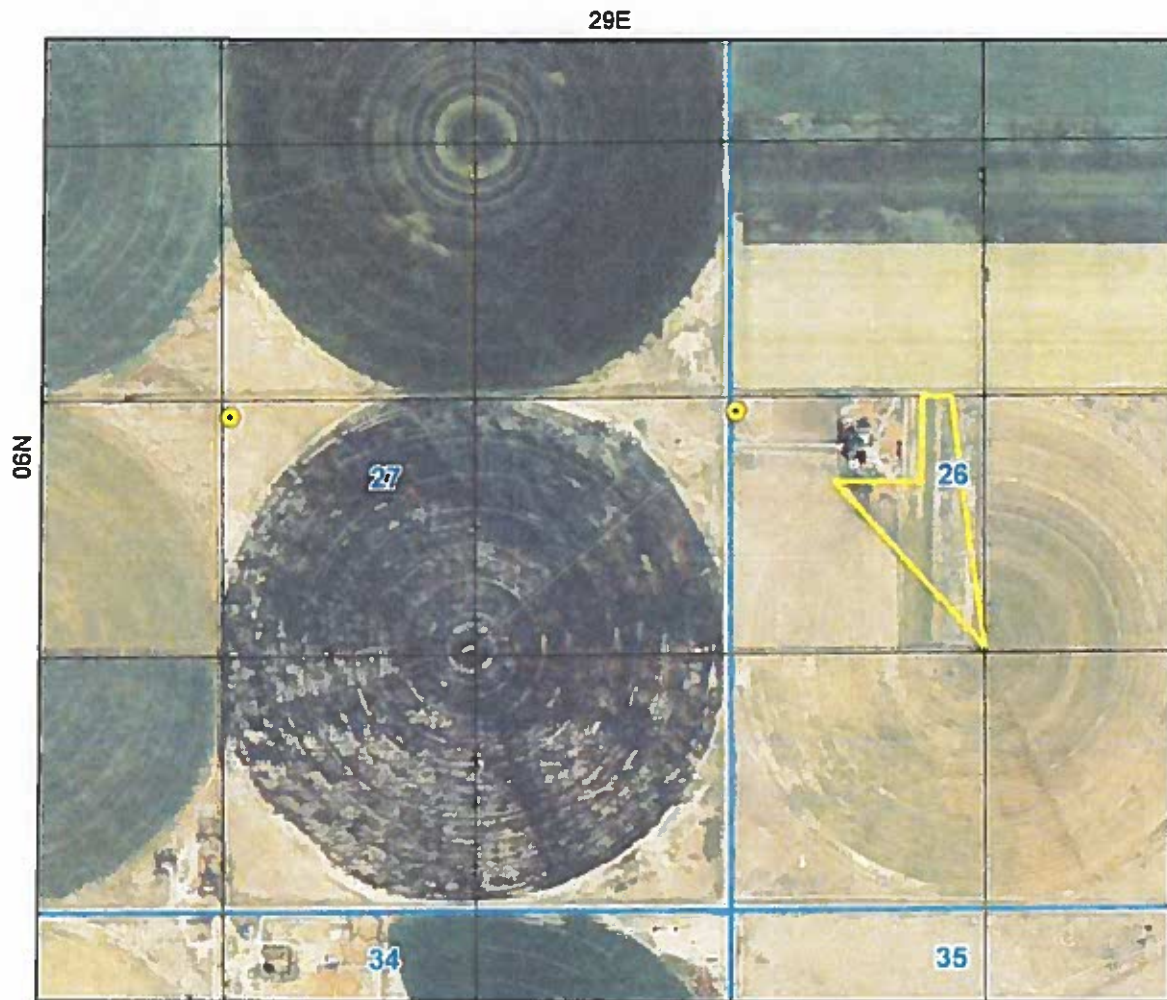
80180

State of Idaho
Department of Water Resources

Water Right
33-14930

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.1 0.2 0.4 Miles



Map produced on December 05, 2014

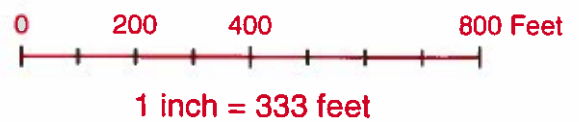
(Current POD & POU) - Attachment 7a & 7b

80180



Legend

- 4.1 acres to remove
- Current_POU_33-14928_33-14930
- Township/Range
- Sections
- QQ



80180



Legend

- Proposed POD
- Proposed POU
- Township/Range
- Sections
- QQ



0 85 170 340 Feet

1 inch = 140 feet

80180



539691

WARRANTY DEED

2004 APR 14 PM 3: 54

RECORDED AT THE REQUEST OF

For Value Received James R. Pehrson, spouse of Lea Maria Pehrson

FIRST AMERICAN TITLE COMPANY

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Lea Maria Pehrson, a married woman dealing with her sole and separate property

whose address is: 1163 West Highway 26, Blackfoot, ID 83221

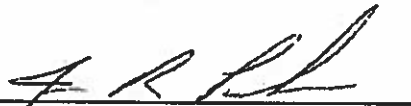
Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

Part of Section 31, Township 1 South, Range 34 E.B.M., Bingham County, Idaho, described as:
Beginning at a point on the Southerly right-of-way line of U.S. Highway 26 that is N. 00°08'18"
W. 3606.26 feet and S. 51°11'00" E. 2290.15 feet from the SW corner of said Section 31; and
running thence S. 51°11'00" E. 262.00 feet; thence S. 44°02'46" W. 953.63 feet; thence N.
30°35'34" W. 234.33 feet; thence N. 41°44'26" E. 868.38 feet to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning
ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments
as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's
heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is
the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes,
levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible
upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 14, 2004


James R. Pehrson

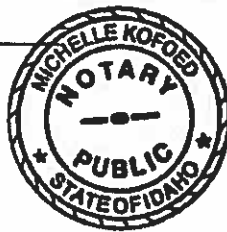
STATE OF IDAHO

))ss.
)

COUNTY OF BINGHAM

On this 14TH day of April, in the year of 2004, before me Michelle Kofoed, personally appeared James R. Pehrson,
known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within
instrument, and acknowledged to me that he executed the same.


Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 4-14-2008



539691

ENHANCED GROUND-WATER RIGHTS TRANSFER SPREADSHEET

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF WATER

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

YEAR 1972
SEASON SPRING

TRANSFER NO:

TRANSFER NAME

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	73	30		
COLUMN	132	131		

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1972	0	4	4	0	0	0	0
SUM 1972	0	4	4	0	0	0	0
WIN 1972	0	4	4	0	0	0	0
SPR 1973	0	4	4	0	0	0	0
SUM 1973	0	4	4	0	0	0	0
WIN 1973	0	4	4	0	0	0	0
SPR 1974	0	4	4	0	0	0	0
SUM 1974	0	4	4	0	0	0	0
WIN 1974	0	4	4	0	0	0	0
SPR 1975	0	4	4	0	0	0	0
SUM 1975	0	4	4	0	0	0	0
WIN 1975	0	4	4	0	0	0	0
SPR 1976	0	4	4	0	0	0	0
SUM 1976	0	4	4	0	0	0	0
WIN 1976	0	4	4	0	0	0	0
SPR 1977	0	4	4	0	0	0	0
SUM 1977	0	4	4	0	0	0	0

Entering Dates

Enter the starting year of the analysis period. Summer is Jul, Aug, S. Once you have entered the date only needs to be modified. Modifying the date does not require a re-run.

Entering Well Location

Enter the row and column for the 'TO' well. Enter the row and column for the 'FROM1' well. Enter the row and column for the 'FROM2' well. If the 'FROM2' well is the same as the 'FROM1' well, enter the same row and column. If the 'FROM3' well is the same as the 'FROM1' well, enter the same row and column. The 'FROM3' well can be the same as the 'FROM1' well.

Running the Model

Once the model cells are entered, push the 'RUN MODEL' button. The model will run and the results will be displayed. The model needs to be re-run if the input data has changed.

Getting the Model Output

Once the model has been run, the model output will be displayed. This output can be used to calculate the water rights transfer fee.

Entering water use data

All water use should be entered in the 'Projected Use' column. For instructions on how to enter water use data, see the user manual.

Entering 'TO' Well Projected Use

Enter the projected water use for the 'TO' well. This value should start in the first trimester of the analysis period.

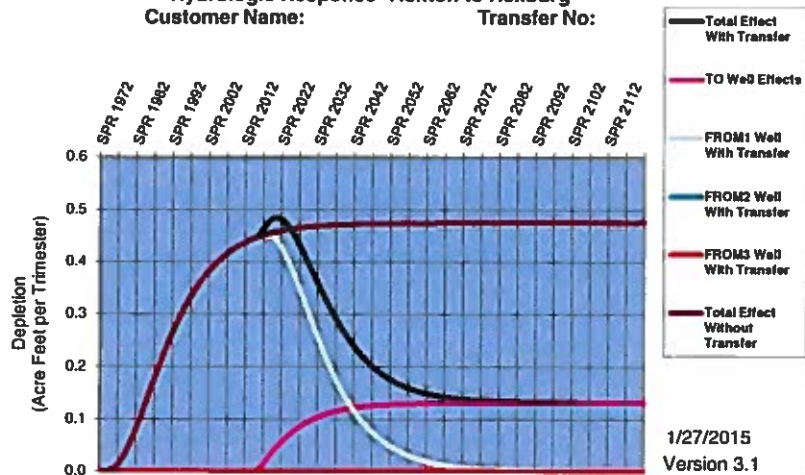
80180

WIN 1991	0	4	4	0	0	0	0
SPR 1992	0	4	4	0	0	0	0
SUM 1992	0	4	4	0	0	0	0
WIN 1992	0	4	4	0	0	0	0
SPR 1993	0	4	4	0	0	0	0
SUM 1993	0	4	4	0	0	0	0
WIN 1993	0	4	4	0	0	0	0
SPR 1994	0	4	4	0	0	0	0
SUM 1994	0	4	4	0	0	0	0
WIN 1994	0	4	4	0	0	0	0
SPR 1995	0	4	4	0	0	0	0
SUM 1995	0	4	4	0	0	0	0
WIN 1995	0	4	4	0	0	0	0
SPR 1996	0	4	4	0	0	0	0
SUM 1996	0	4	4	0	0	0	0
WIN 1996	0	4	4	0	0	0	0
SPR 1997	0	4	4	0	0	0	0
SUM 1997	0	4	4	0	0	0	0
WIN 1997	0	4	4	0	0	0	0
SPR 1998	0	4	4	0	0	0	0
SUM 1998	0	4	4	0	0	0	0
WIN 1998	0	4	4	0	0	0	0
SPR 1999	0	4	4	0	0	0	0
SUM 1999	0	4	4	0	0	0	0
WIN 1999	0	4	4	0	0	0	0
SPR 2000	0	4	4	0	0	0	0
SUM 2000	0	4	4	0	0	0	0
WIN 2000	0	4	4	0	0	0	0
SPR 2001	0	4	4	0	0	0	0
SUM 2001	0	4	4	0	0	0	0
WIN 2001	0	4	4	0	0	0	0
SPR 2002	0	4	4	0	0	0	0
SUM 2002	0	4	4	0	0	0	0
WIN 2002	0	4	4	0	0	0	0
SPR 2003	0	4	4	0	0	0	0
SUM 2003	0	4	4	0	0	0	0
WIN 2003	0	4	4	0	0	0	0
SPR 2004	0	4	4	0	0	0	0
SUM 2004	0	4	4	0	0	0	0
WIN 2004	0	4	4	0	0	0	0
SPR 2005	0	4	4	0	0	0	0
SUM 2005	0	4	4	0	0	0	0
WIN 2005	0	4	4	0	0	0	0
SPR 2006	0	4	4	0	0	0	0
SUM 2006	0	4	4	0	0	0	0
WIN 2006	0	4	4	0	0	0	0

SPR 2007	0	4	4	0	0	0	0
SUM 2007	0	4	4	0	0	0	0
WIN 2007	0	4	4	0	0	0	0
SPR 2008	0	4	4	0	0	0	0
SUM 2008	0	4	4	0	0	0	0
WIN 2008	0	4	4	0	0	0	0
SPR 2009	0	4	4	0	0	0	0
SUM 2009	0	4	4	0	0	0	0
WIN 2009	0	4	4	0	0	0	0
SPR 2010	0	4	4	0	0	0	0
SUM 2010	0	4	4	0	0	0	0
WIN 2010	0	4	4	0	0	0	0
SPR 2011	0	4	4	0	0	0	0
SUM 2011	0	4	4	0	0	0	0
WIN 2011	0	4	4	0	0	0	0
SPR 2012	0	4	4	0	0	0	0
SUM 2012	0	4	4	0	0	0	0
WIN 2012	0	4	4	0	0	0	0
SPR 2013	0	4	4	0	0	0	0
SUM 2013	0	4	4	0	0	0	0
WIN 2013	0	4	4	0	0	0	0
SPR 2014	0	4	4	0	0	0	0
SUM 2014	0	4	4	0	0	0	0
WIN 2014	0	4	4	0	0	0	0
SPR 2015	4	0	4	0	0	0	0
SUM 2015	4	0	4	0	0	0	0
WIN 2015	4	0	4	0	0	0	0
SPR 2016	4	0	4	0	0	0	0
SUM 2016	4	0	4	0	0	0	0
WIN 2016	4	0	4	0	0	0	0
SPR 2017	4	0	4	0	0	0	0
SUM 2017	4	0	4	0	0	0	0
WIN 2017	4	0	4	0	0	0	0
SPR 2018	4	0	4	0	0	0	0
SUM 2018	4	0	4	0	0	0	0
WIN 2018	4	0	4	0	0	0	0
SPR 2019	4	0	4	0	0	0	0
SUM 2019	4	0	4	0	0	0	0
WIN 2019	4	0	4	0	0	0	0
SPR 2020	4	0	4	0	0	0	0
SUM 2020	4	0	4	0	0	0	0
WIN 2020	4	0	4	0	0	0	0
SPR 2021	4	0	4	0	0	0	0
SUM 2021	4	0	4	0	0	0	0
WIN 2021	4	0	4	0	0	0	0
SPR 2022	4	0	4	0	0	0	0

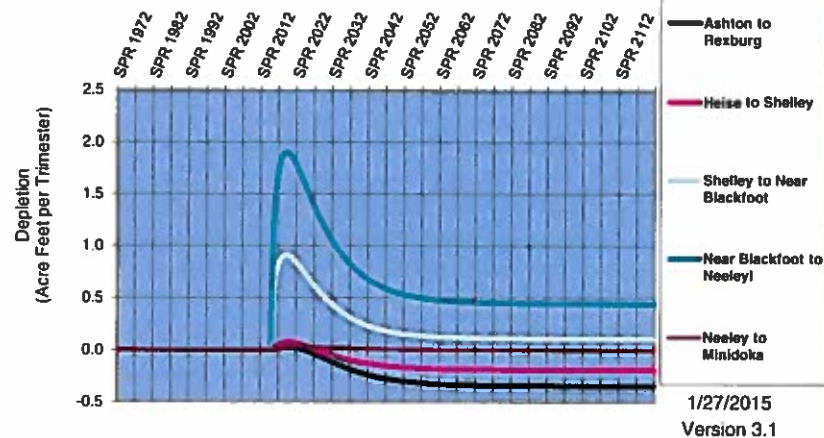
Hydrologic Response—Ashton to Rexburg

Customer Name: Transfer No:



Net Transfer Effect Above Milner

(Total Effect With Transfer - Total Effect Without Transfer)

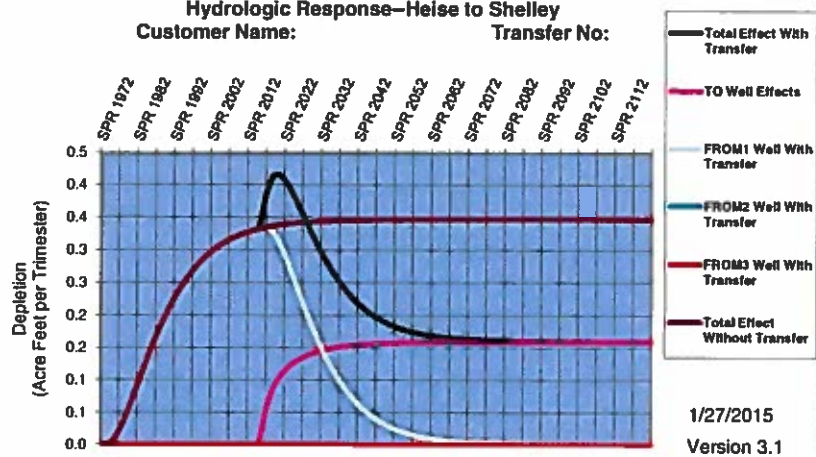


Customer Name:

Transfer No:

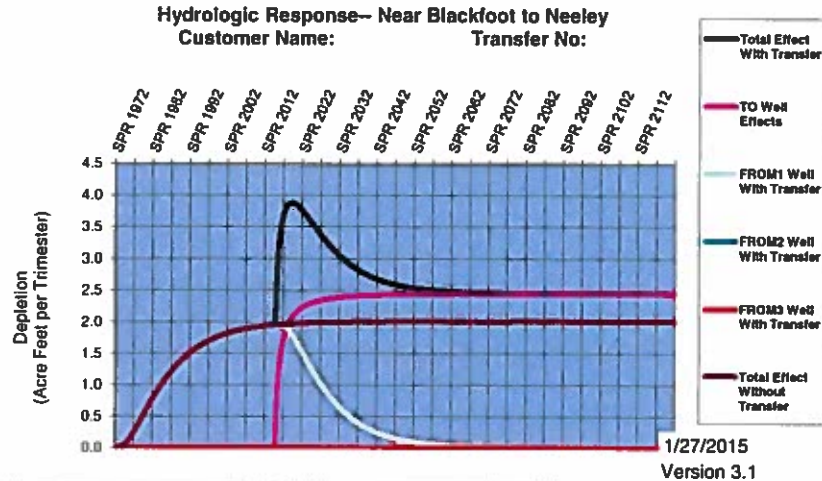
Hydrologic Response—Heise to Shelley

Customer Name: Transfer No:



Hydrologic Response—Near Blackfoot to Neeley

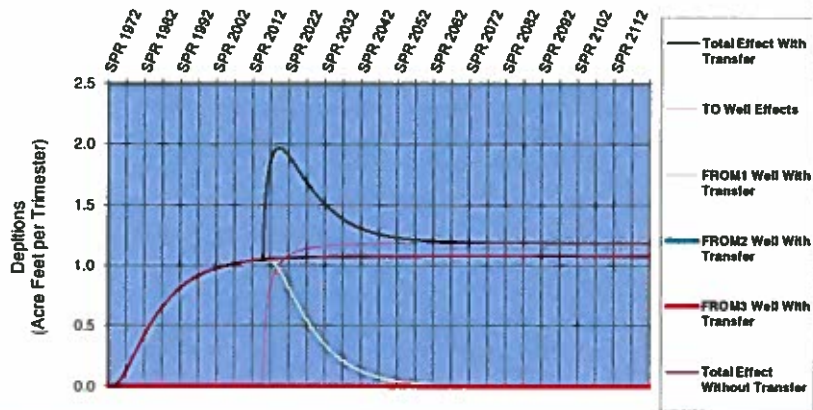
Customer Name: Transfer No:



Hydrologic Response—Shelley to Near Blackfoot

Customer Name:

Transfer No:



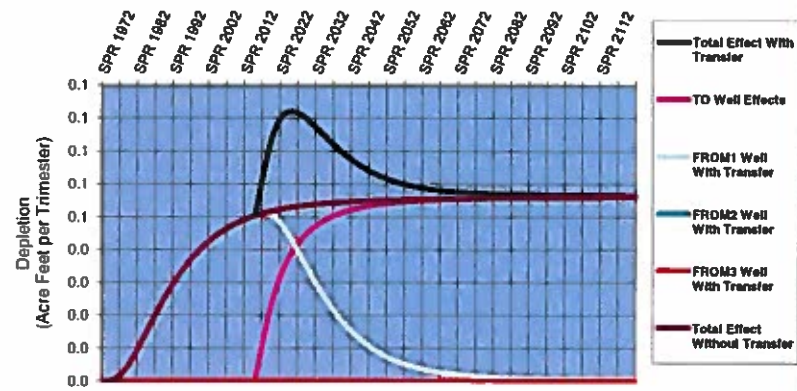
Hydrologic Response—Neeley to Minidoka

Customer Name:

Transfer No:

1/27/2015

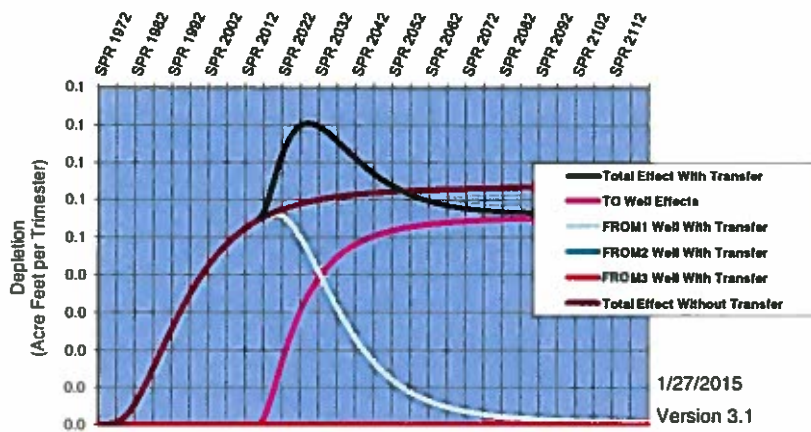
Version 3.1



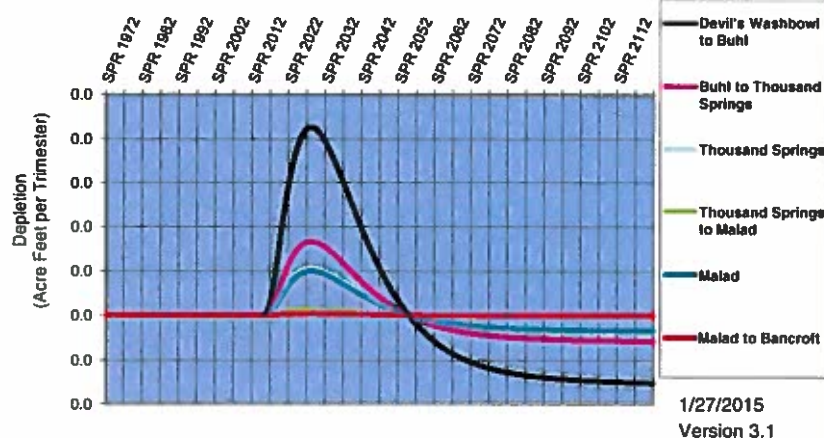
Hydrologic Response—Devil's Washbowl to Buhl

Customer Name:

Transfer No:



Net Transfer Effect Below Milner (Total Effect With Transfer - Total Effect Without Transfer)



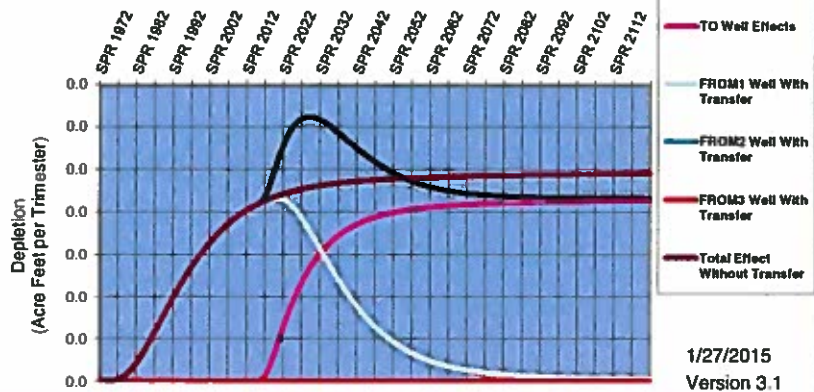
Customer Name:

Transfer No:

Hydrologic Response—Buhl to Thousand Springs

Customer Name:

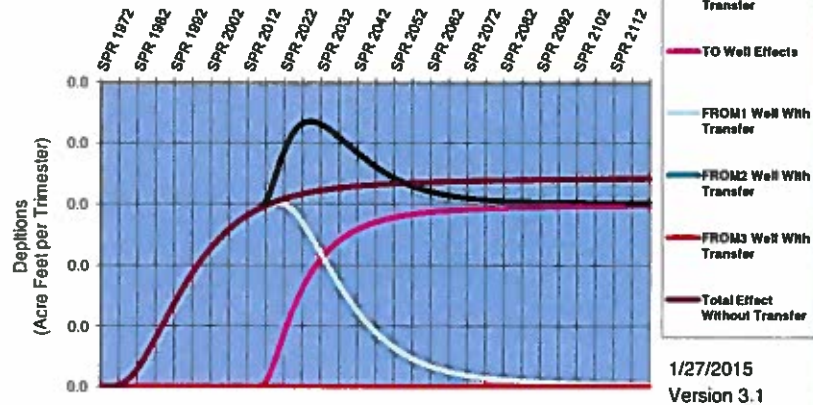
Transfer No:



Hydrologic Response—Thousand Springs to Malad

Customer Name:

Transfer No:



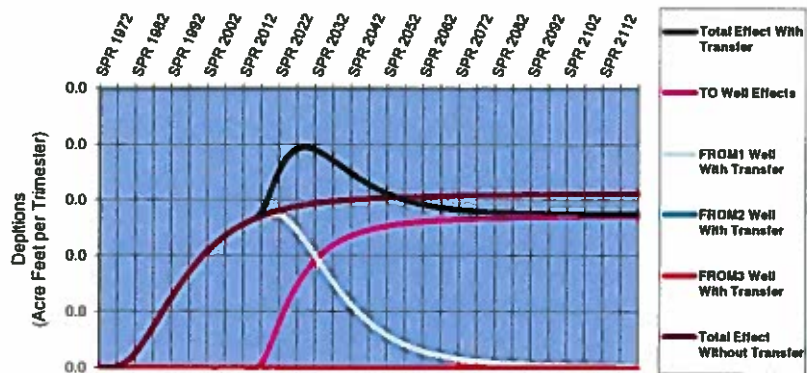
Hydrologic Response—Thousand Springs

Customer Name:

Transfer No:

1/27/2015

Version 3.1



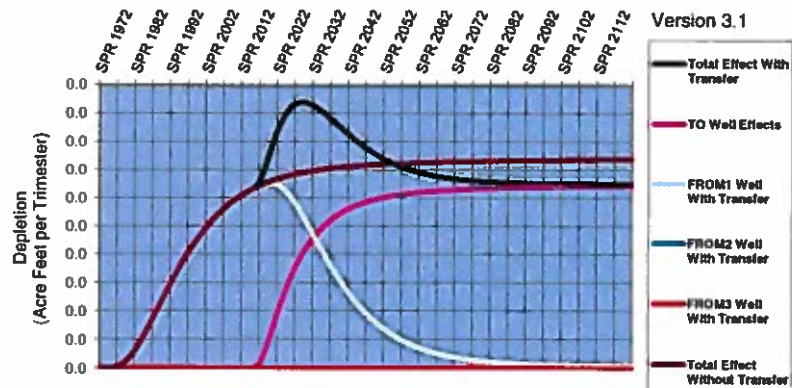
Hydrologic Response— Malad

Customer Name:

Transfer No:

1/27/2015

Version 3.1



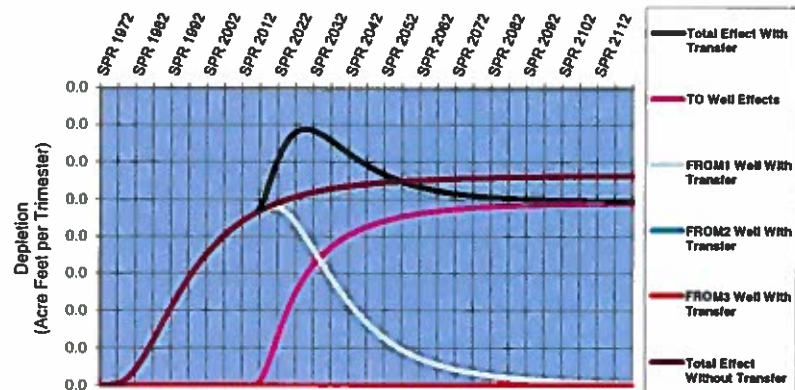
Hydrologic Response— Malad to Bancroft

Customer Name:

Transfer No:

1/27/2015

Version 3.1



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

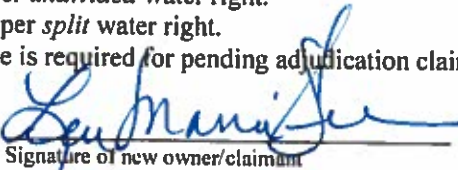
Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
33-14928	Yes ☒	33-14930	Yes ☒		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Merlin Smith, Sr.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lea Maria Pehrson
Name of each new owner as listed on the conveyance document
- New owner continued Name connector ☐ and ☐ or ☐ and/or
- 1163 W Hwy 26
- Mailing address
- Blackfoot ID 83221
- City State ZIP
- 303-594-7992 MariaPehrson@LMProfessionals.com
- Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: _____.
6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o No fee is required for pending adjudication claims.

7. Signature:  Lea Marie Pehrson 1/8/2015
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by sc Date 1/21/15 Receipt No. E040575 Receipt Amt. \$25.00

Approved by _____ Processed by _____ Date _____

Instrument # 664153

BINGHAM COUNTY, IDAHO

2015-01-15 09:42:44 AM No. of Pages: 2

Recorded for: BAKER & HARRIS

PAMELA W. ECKHARDT Fee: \$13.00

Ex-Officio Recorder Deputy JPulley

Index To: WATER RIGHT/WELL AGREEMENT

Electronically Recorded by Simplifile

RECORDING REQUESTED BY:Baker & Harris
266 W Bridge
Blackfoot, ID 83221

space above this line for Recording use only

WATER RIGHT DEED

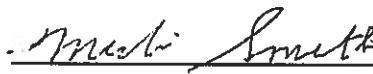
For VALUABLE consideration, the receipt and sufficiency whereof is hereby acknowledged, MERLIN SMITH, SR., a married person dealing with his sole and separate property, Grantor, does hereby grant, sell and convey unto LEA MARIA PEHRSON, a married woman dealing with her sole and separate property, all of those certain water rights described as:

A portion of Water Right No. 33-14928, as 0.04 cubic feet per second, with the current point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 6 North, Range 29 E. B.M., Butte County, Idaho; and

A portion of Water Right No. 33-14930, as 0.025 cubic feet per second, with the current point of diversion of NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 6 North, Range 29 E. B.M., Butte County, Idaho.

TO HAVE AND TO HOLD all and singular the herein described property, together with all appurtenances unto the said Grantee and her heirs, successors, and assigns forever.

DATED this 16th day of December, 2014.

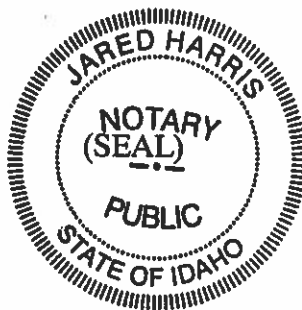


Merlin Smith, Sr.

STATE OF IDAHO)
) ss:
County of Bingham)

On this 16th day of December, 2014, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared MERLIN SMITH, SR., a married person dealing with his sole and separate property, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Jared Harris
Notary Public for Idaho
Residing at Bluff
My Commission Expires 2/23/17

Law Offices of
BAKER & HARRIS

Dwight E. Baker
Jared M. Harris *
Jonathan W. Harris
* Also Admitted in Utah

266 West Bridge Street
BLACKFOOT, ID 83221
Telephone (208) 785-2310
Facsimile (208) 785-6749
E-Mail — jharris@bakerharrislaw.com

January 16, 2015

Idaho Department of Water Resources
c/o Blake Jordan
900 N Skyline Dr.
Idaho Falls, ID 83402-1718

RECEIVED
JUN 19 2015
Department of Water Resources
Eastern Region

Re: Sale and Transfer of Water Rights
Baker & Harris Matter No. 9876

Application for Transfer of Water Rights:

From: Water Right Numbers: 33-14928 & 33-14930
To: Township 1 South, Range 36 E, Section 31

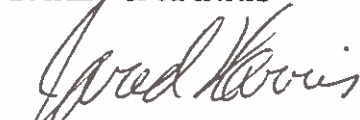
Dear Blake:

Pursuant to your letter of May 21, 2015, please find enclosed a copy of the email sent to you by Ms. Pehrson on June 16th, together with our check in the sum of \$175.00 for the additional transfer fees. Additionally, we are returning the Transfer Application to you.

If you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,

BAKER & HARRIS



Jared M. Harris

JMH/jm
cc:

Check#4564/\$175.00
Merlin Smith, w/o enclosures
Lea Pehrson, via email

6/16/2015

From: <mariapehrson@lmpprofessionals.com>
To: Blake.Jordan@idwr.idaho.gov
Sent: 6/16/2015 8:55AM
Subject: [FWD: Water Right Transfer - Smith/Pehrson]

Mr. Jordan,

As noted in the attached email, I do authorize Mr. Merlin Smith, Sr., to submit the Application to Transfer as noted in the attached document.

Please let me or Ms. Moon (also cc:d) if there are any additional questions or items needed to proceed with the request.

Thank you. Lea Maria Pehrson

L. Maria Pehrson
Managing Director
Line Management Professionals
Office: 303.770.0553
Mobile: 303.594.7992

Line Management Professionals, LLC - Woman Owned Small Business
Learn More about our Services at: www.LMProfessionals.com

----- Original Message -----

Subject: Water Right Transfer - Smith/Pehrson
From: "Jennifer Moon" <jmoon@bakerharrislaw.com>
Date: Fri, May 29, 2015 1:31 pm
To: MariaPehrson@LMProfessionals.com

Dear Lea:

Please see the attached.

Thank you,

Jennifer Moon, Legal Assistant
BAKER & HARRIS
266 W Bridge St
Blackfoot ID 83221
p: (208) 785-2310
e: jmoon@bakerharrislaw.com