

RECEIVED

JUN 05 2015

Department of Water Resources
EasternSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80155**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) Telford Lands LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☒ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Telford Lands LLC Phone 208 431-5957
Mailing address 1450 W. Hwy. 24, Paul, ID 83347 Email telfordsunvalleyseed@gmail.c

- ☐ 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**.

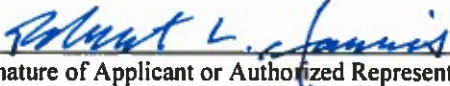
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Robert L. Harris Phone 208-523-0620
Mailing address PO Box 50130, Idaho Falls, ID 83405 Email rharris@holdenlegal.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.

 Robert L. Harris June 5, 2015
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

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 add two wells as authorized points of diversion for three water rights.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	34-2459	4.17 cfs	Irrigation	4/01 to 11/01	Ground water
☒ ☐	34-2460	4.17 cfs	Irrigation	4/01 to 11/01	Ground water
☒ ☐	34-10925	7.6 cfs	Irrigation	4/01 to 11/01	Ground water
☐ ☐		(enlargement)		to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8.34 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 8.34 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N		SW	SE	NW	2	3N	26E	BUTTE	Ground water	Airport Well No. 1
N		SE	NE	SW	2	3N	26E	BUTTE	Ground water	Airport Well No. 2
Y		SW	SE	SW	1	3N	26E	BUTTE	Ground water	Big Hole
Y		NW	NW	NW	12	3N	26E	BUTTE	Ground water	Mark's Well

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Total Acres (for irrigation use)																			

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:
Well and pumps into irrigation mainlines. Wells and pumps have a measuring device and lockable diversion works.
- b. Who owns the property at the point(s) of diversion? Applicant owns the "Big Hole." Mark Telford owns "Mark's well."
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Mark Telford is a member of the Applicant, so use of "Mark's Well" is not an issue.
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
34-2461, 24-62, -7037, and -7138.
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
Yes No
- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/5/2015

WATER RIGHT NO. 34-2459

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TELFORD LANDS LLC 1450 W HWY 24 PAUL, ID 83347 (208)431-5957
Directors Report Owner	CRATER FARMS INC PO BOX 91 ARCO, ID 83213 (208)527-8903
Original Owner	WILLARD O BELL 756 15TH AVE E JEROME, ID 83338 (208)324-8984

Priority Date: 04/19/1965

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	4/01	11/01	4.17 CFS	
Total Diversion			4.17 CFS	

Location of Point(s) of Diversion:

SWSNW

80155

GROUND WATER | Sec. 02 | Township 03N | Range 26E | BUTTE County

GROUND WATER | SENESW | Sec. 02 | Township 03N | Range 26E | BUTTE County

IRRIGATION Use:

Acre Limit: 238

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03N	26E	14		NENW	39		NWNW	36		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
		15		NENE	39		NWNE	40		SWNE	40		SENE	40
				NENW	39		NWNW	39		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		16		NENE	39		NWNE	39		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	39		SESE	39
		22		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
		23		NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		SESW	33						
				NESE	39		NWSE	40		SWSE	40		SESE	40

Total Acres: 1980

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NOS. 34-02460, 34-02461, 34-02462 AND 34-10925 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.50 CFS. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8441.5 AF. COMBINED RIGHT NOS.: 34-07138, 34-02460, 34-02461, 34-02462, 34-07037 AND 34-10925.
2. USE OF THIS RIGHT WITH RIGHT NOS.: 34-02460, 34-02461, 34-02462 AND 34-07037 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1664 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1980 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-07138, 34-02460, 34-02461, 34-02462, 34-07037 AND 34-10925. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 238 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF

3. C18 THE WATER RIGHTS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. RIGHT NOS. 34-02460, 34-02461, 34-02462 AND 34-10925 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 34-10925 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 12/16/1997

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

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: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 1980

Combined Volume Limit: 8441.5

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

80155

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/5/2015

WATER RIGHT NO. 34-2460

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TELFORD LANDS LLC 1450 W HWY 24 PAUL, ID 83347 (208)431-5957
Directors Report Owner	CRATER FARMS INC PO BOX 91 ARCO, ID 83213 (208)527-8903
Original Owner	WILLARD O BELL 756 15TH AVE E JEROME, ID 83338 (208)324-8984

Priority Date: 04/19/1965

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	4/01	11/01	4.17 CFS	
Total Diversion			4.17 CFS	

Location of Point(s) of Diversion:

SWSNW

80155

GROUND WATER | 02 | Township 03N | Range 26E | BUTTE County

GROUND WATER | SENESW | Sec. 02 | Township 03N | Range 26E | BUTTE County

IRRIGATION Use:

Acre Limit: 238

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
03N	26E	14		NENW	39		NWNW	36		SWNW	40		SESW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
		15		NENE	39		NWNE	40		SWNE	40		SENE	40
				NENW	39		NWNW	39		SWNW	40		SENE	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		16		NENE	39		NWNE	39		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	39		SESE	39
		22		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENE	40
		23		NENW	40		NWNW	40		SWNW	40		SENE	40
				NESW	40		SESW	33						
				NESE	39		NWSE	40		SWSE	40		SESE	40

Total Acres: 1980

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NOS. 34-02459, 34-02461, 34-02462 AND 34-10925 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.50 CFS. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8441.5 AF. COMBINED RIGHT NOS.: 34-07138, 34-02459, 34-02461, 34-02462, 34-07037 AND 34-10925.
2. USE OF THIS RIGHT WITH RIGHT NOS.: 34-02459, 34-02461, 34-02462 AND 34-07037 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1664 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1980 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-07138, 34-02459, 34-02461, 34-02462, 34-07037 AND 34-10925. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 238 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF

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3. C18 THE WATER RIGHTS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT NOS. 34-02459, 34-02461, 34-02462 AND 34-10925 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 34-10925 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 12/16/1997

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

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: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 1980

Combined Volume Limit: 8441.5

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

80155

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/5/2015

WATER RIGHT NO. 34-10925

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TELFORD LANDS LLC 1450 W HWY 24 PAUL, ID 83347 (208)431-5957
Directors Report Owner	CRATER FARMS INC PO BOX 91 ARCO, ID 83213 (208)527-8903
Attorney	HOLDEN KIDWELL HAHN & CRAPO PLLC C/O ROBERT L HARRIS PO BOX 50130 IDAHO FALLS, ID 83405 (208) 523-0620

Priority Date: 05/01/1982

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	4/01	10/31	7.6 CFS	
Total Diversion			7.6 CFS	

Location of Point(s) of Diversion:

80155

GROUND WATER|SWS|ENW|Sec. 02|Township 03N|Range 26E|BUTTE County
 GROUND WATER|SE|NESW|Sec. 02|Township 03N|Range 26E|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
03N	26E	14		NENW	39		NWNW	36		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
		15		NENE	39		NWNE	40		SWNE	40		SENE	40
				NENW	39		NWNW	39		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		16		NENE	39		NWNE	39		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	39		SESE	39
		22		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
		23		NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		SESW	33						
				NESE	39		NWSE	40		SWSE	40		SESE	40

Total Acres: 1980

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NOS. 34-02460, 34-02461, 34-02462 AND 34-02459 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.50 CFS. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8441.5 AF. COMBINED RIGHT NOS.: 34-07138, 34-02460, 34-02461, 34-02462, 34-07037 AND 34-02459.
2. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1980 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-07138, 34-02460, 34-02461, 34-02462, 34-07037 AND 34-02459.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE.

80155

SECTION 42-1412(6), IDAHO CODE.

5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 34-02459, 34-02460, 34-02461 AND 34-02462 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. RIGHT NOS. 34-02460, 34-02461, 34-02462 & 34-02459 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. THIS RIGHT IS FOR AN ENLARGEMENT OF 536 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates:

Licensed Date:

Decreed Date: 12/16/1997

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

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: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 1980

Combined Volume Limit: 8441.5

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

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

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the 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 _____ Date _____ Preliminary check by _____ Date _____

Fee paid 1140.00 Date 6/8/15 Received by sc Receipt # 8041114

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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

Telford Lands LLC Transfer

WATER RIGHTS BEFORE TRANSFER

Water Right No.	Name on Water Right	Basis	Priority Date	Source	Beneficial Use	Individual Diversion Rate Limitation (cfs)	Combined Diversion Rate Limitation (cfs)	Individual Volume Limitation (AFA)	Combined Volume Limitation (AFA)	Individual Acre Limitation	Total Permissible Place of Use	Point of Diversion	Notes
34-2459	Telford Lands LLC	Partial Decree	April 19, 1965	Ground water	Irrigation	4.17	12.5 (includes these three rights and other water rights not listed)	None	8441.5 (includes these three rights and other water rights not listed)	238	1980 (includes these three rights and other water rights not listed)	SWSENW, 3N, 26E, Sec. 2 (Airport Well) SENESEW, 3N, 26E, Sec. 2 (Airport Well)	
34-2460			April 19, 1966			4.17		None		238			
34-10925			May 1, 1982			7.6		None		536			

WATER RIGHTS AFTER TRANSFER

34-2459	Telford Lands LLC	Partial Decree	April 19, 1965	Ground water	Irrigation	4.17	12.5 (includes these three rights and other water rights not listed)	None	8441.5 (includes these three rights and other water rights not listed)	238	1980 (includes these three rights and other water rights not listed)	SWSENW, 3N, 26E, Sec. 2 (Airport Well) SENESEW, 3N, 26E, Sec. 2 (Airport Well) SWSESW, 3N, 26E, Sec. 1 (Big Hole) NWNWNW, 3N, 26E, Sec. 12 (Mark's Well)	
34-2460			April 19, 1966			4.17		None		238			
34-10925			May 1, 1982			7.6		None		536			

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Attachment No. 4

Power of Attorney

Idaho Attorney Roster Search - Idaho State Bar

Attorney Roster Search - Individual Attorney R
(as of 6/5/15)

Robert Lynn Harris
Address: PO Box 50130
Idaho Falls, ID 83405
Firm: Holden, Kidwell, Hahn & Crapo, PLLC

Phone: (208) 523-4620 Ext.
FAX: (208) 523-9518

E-Mail Address: rharris@holdenlegal.com
Website Address: www.holdenlegal.com

ISB Membership Number: 7018
Admittance Date: Sep/30/2004
Status: Active

Address Change Form

The information above is based on the Idaho State Bar records as of the date listed above. To send us an update on your own listing, please use the online [Address Change Form](#) or send an email to the [Licensing Department](#). Please notify the [Licensing Department](#) if you find that another attorney's information is incorrect. Questions on attorney status and good standing should also be directed to the [Licensing Department](#) at (208) 334-4500.

Current Status Definitions

Contact the [Bar Council's Office](#) at (208) 334-4500 to request a disciplinary history on an attorney.

Information on former members of the Idaho State Bar is limited to name, admission date and status. The online records include former members going back to approximately 1994. Records on former members from before 1994 are not available online. Please contact the [Licensing Department](#) for more information on former members.

P.O. Box 895 Boise Idaho 83701 ph (208) 334-4500 fax (208) 334-4515

Idaho State Bar | Idaho Law Foundation | idaho.gov | [Site Map](#) | [Contact Us](#)  

Attachment No. 5

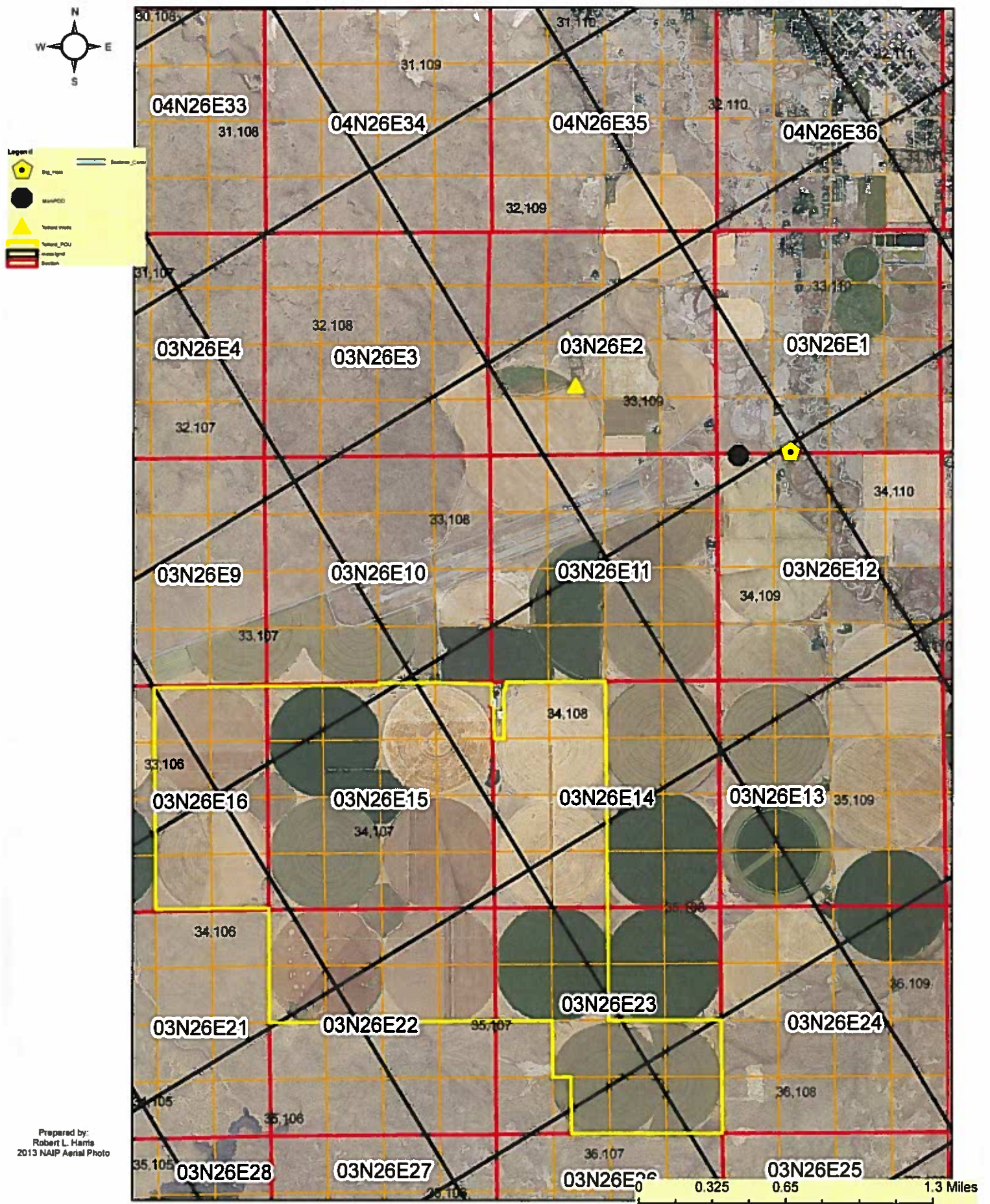
ESPA Analysis and Mitigation Plan

ESPA ANALYSIS

No ESPA analysis is required. Ground water modeling is not required if the current point(s) of diversion and the new point(s) of diversion are located within the same or adjacent model cells. See *Administrator's Memorandum*, Transfer Processing No. 24, December 21, 2009, at 13. As shown on the map included with the transfer, the current points of diversion are located within the same or adjacent model cells.

Attachment No. 7a Map

TELFORD LANDS, LLC TRANSFER



NO. 0047633

RECORDED

APR 01 2010

10:55 AM
BUTTE COUNTY RECORDER
P.M.
[Signature]

WARRANTY DEED

Order No: 5858LRT

For Valuable Consideration Received

DAVID JAMES LYLE AND LESLIE DANA LYLE, Husband and Wife,

the Grantors, do hereby grant, bargain, sell, convey and warrant unto

MARK TELFORD AND PAIGE TELFORD, Husband and Wife, as Community Property with right of survivorship,

the Grantees, whose current address is:

P.O. Box 511, Arco, ID 83213

the following described premises, to-wit:

Township 3 North, Range 26 East of the Boise Meridian, County of Butte, State of Idaho.

Section 12: NW1/4NW1/4; S1/2NW1/4; N1/2SW1/4,

AND a One Acre parcel of land of an existing wellsite in the S1/2SE1/4SW1/4 of Section 1, Township 3 North, Range 26 E.B.M., and an existing Easement to the wellsite for ingress and egress.

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

David James Lyle by Leslie Dana Lyle 3-31-10
David James Lyle by Leslie Dana Lyle, attorney in fact Date

Leslie Dana Lyle 3/31/10
Leslie Dana Lyle Date

State of Idaho

ss.

County of Butte

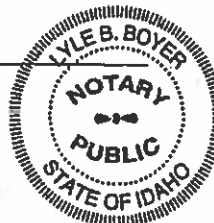
On this 31st day of March, 2010, before me, the undersigned, a Notary Public, in and for said State, personally appeared LESLIE DANA LYLE, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument as attorney in fact of DAVID JAMES LYLE, and acknowledged to me that she subscribed the name of David James Lyle thereto as principal, and her own name as attorney in fact.

WITNESS MY HAND AND OFFICIAL SEAL

Lyly B. Boyer
Notary Public

Residing at:

Commission Expires:



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No. W 23489	Due no later than Apr 30, 2015 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. TELFORD LANDS LLC MICHAEL TELFORD 1450 W HIGHWAY 24 PAUL ID 83347		MICHAEL TELFORD 1450 W HIGHWAY 24 PAUL 83347			
			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	JARED P TELFORD	3198 W. 2200 N	ARCO	ID	USA	83213
MEMBER	MICHAEL S TELFORD	1450 W HIGHWAY 24	PAUL	ID		83347
MEMBER	RYAN C TELFORD	960 N 1350 E	RICHFIELD	ID		83349
MEMBER	AARON R TELFORD	1375 W HIGHWAY 24	PAUL	ID		83347
MEMBER	MARK S TELFORD	1622 N 600 W	PAUL	ID		83347
MEMBER	BOB M TELFORD	1309 E 1220 N	RICHFIELD	ID	USA	83349
5. Organized Under the Laws of: ID W 23489		6. Annual Report must be signed.* Signature: Paige Telford Name (type or print): Paige Telford Date: 02/25/2015 Title: Office Manager				
Processed 02/25/2015		* Electronically provided signatures are accepted as original signatures.				