

RECEIVED

Rev. 07/11

MAY 19 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80064

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) SALMON FALLS FARM 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 #1-9.

- ☒ ☐ #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

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant SALMON FALLS FARM LLC Phone _____
Mailing Address 160904 JUANITA DR NE STE 269, KENMORE WA 98028 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.

Michael J. Frei
Signature of Applicant or Authorized Representative

Michael J. Frei, Managing Director 5/14/2015
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.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
47-2345A	No	No	No	Yes	No	No	No
47-2346A	No	No	No	Yes	No	No	No
47-2347A	No	No	No	Yes	No	No	No
47-7075B	No	No	No	Yes	No	No	No
47-7136B	No	No	No	Yes	No	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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

Applicant had been irrigating outside of their Place of Use on their own property and on a neighbor's property. They have purchased the neighbor's property and this transfer will modify the place of use to cover all irrigation.

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
47-2345A	2.875 cfs	N/A	140.0	758.0		N/A	N/A	N/A	N/A
47-2346A	2.875 cfs	N/A	147.0	758.0		N/A	N/A	N/A	N/A
47-2347A	2.875 cfs	N/A	160.0	758.0		N/A	N/A	N/A	N/A
47-7075B	3.020 cfs	604.0 af	151.0	758.0		N/A	N/A	N/A	N/A
47-7136B	2.000 cfs	640.0 af	160.0	758.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

11.650 cfs 3,032.0 af 758.0 758.0 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 11.65 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.)
- ☒ 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 Transfer Right After Requested Changes**

Proposed Water Right No. 47-2345A

Current Water Right Owner

**SALMON FALLS FARM
LLC
160904 JUANITA DR NE
STE 269
KENMORE, WA 98028**

Priority Date: 11/30/1960

Origin: Water Right

Basis: Decreed

Status Active

Source: SALMON FALLS CREEK Tributary: SNAKE RIVER

**Beneficial Use
IRRIGATION**

**From
03/15**

**To
11/15**

**Diversion Rate
2.875 CFS
2.875 CFS**

Subuse Code

Total Diversion

Source and Point(s) of Diversion:

SALMON FALLS CREEK

NENW

Sec. 26 Twp 09S Rge 13E TWIN FALLS 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	
09S	13E	10											1.7	2.3			40.0	40.0	84.0
09S	13E	14					31	32	34	30	33	40	40	40					280
09S	13E	15	40.0	40.0	40.0		40.0	38.0	39.0	40.0								38.0	315.0
09S	13E	22	26																26
09S	13E	23					26	27											53

Right Acre Limit: 140.0

POU Total Acres: 758.0

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

Proposed Water Right No. 47-2346A

Current Water Right Owner
SALMON FALLS FARM
LLC
160904 JUANITA DR NE
STE 269
KENMORE, WA 98028

Priority Date: 11/30/1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON FALLS CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.875 CFS	
Total Diversion			2.875 CFS	

Source and Point(s) of Diversion:
SALMON FALLS CREEK NENW Sec. 26 Twp 09S Rge 13E TWIN FALLS 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	
09S	13E	10											1.7	2.3			40.0	40.0	84.0
09S	13E	14					31	32	34	30	33	40	40	40					280
09S	13E	15	40.0	40.0	40.0		40.0	38.0	39.0	40.0								38.0	315.0
09S	13E	22	26																26
09S	13E	23					26	27											53

Right Acre Limit: 147.0
POU Total Acres: 758.0

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

Proposed Water Right No. 47-2347A

Current Water Right Owner
SALMON FALLS FARM
LLC
160904 JUANITA DR NE
STE 269
KENMORE, WA 98028

Priority Date: 11/30/1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON FALLS CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.875 CFS	
Total Diversion			2.875 CFS	

Source and Point(s) of Diversion:
SALMON FALLS CREEK NENW Sec. 26 Twp 09S Rge 13E TWIN FALLS 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	
09S	13E	10											1.7	2.3			40.0	40.0	84.0
09S	13E	14					31	32	34	30	33	40	40	40					280
09S	13E	15	40.0	40.0	40.0		40.0	38.0	39.0	40.0								38.0	315.0
09S	13E	22	26																26
09S	13E	23					26	27											53

Right Acre Limit: 160.0
POU Total Acres: 758.0

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

Proposed Water Right No. 47-7075B

Current Water Right Owner
SALMON FALLS FARM
LLC
160904 JUANITA DR NE
STE 269
KENMORE, WA 98028

Priority Date: 7/23/1969

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON FALLS CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.020 CFS	604.0 AFA	
Total Diversion			3.020 CFS	604.0 AFA	

Source and Point(s) of Diversion:
SALMON FALLS CREEK NENW Sec. 26 Twp 09S Rge 13E TWIN FALLS 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	
09S	13E	10											1.7	2.3			40.0	40.0	84.0
09S	13E	14					31	32	34	30	33	40	40	40					280
09S	13E	15	40.0	40.0	40.0		40.0	38.0	39.0	40.0								38.0	315.0
09S	13E	22	26																26
09S	13E	23					26	27											53

Right Acre Limit: 151.0
POU Total Acres: 758.0

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

Proposed Water Right No. 47-7136B

Current Water Right Owner
SALMON FALLS FARM
LLC
160904 JUANITA DR NE
STE 269
KENMORE, WA 98028

Priority Date: 2/1/1972

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON FALLS CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.000 CFS	640.0 AFA	
Total Diversion			2.000 CFS	640.0 AFA	

Source and Point(s) of Diversion:
SALMON FALLS CREEK NENW Sec. 26 Twp 09S Rge 13E TWIN FALLS 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	
09S	13E	10											1.7	2.3			40.0	40.0	84.0
09S	13E	14					31	32	34	30	33	40	40	40					280
09S	13E	15	40.0	40.0	40.0		40.0	38.0	39.0	40.0								38.0	315.0
09S	13E	22	28																28
09S	13E	23					28	27											53

Right Acre Limit: 160.0
POU Total Acres: 758.0

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
The diversion system consists of two 600 HP pumps, one 450 HP pump, one 350 HP pump, and one 250 HP pump.
The power boxes are lockable and numerous exposed straight sections of pipe are accessible for water meter installation.
- b. Who owns the property at the point(s) of diversion
BLM
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Salmon Falls Farm, LLC holds a Right of Way grant from the USDI-BLM, serial number IDI-37647 for a road access to their pump station.
- 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:
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:
They will be dried up.
- 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:
No other water rights on this POU. Other rights with the same POD are: 47-17187, 47-7136A, 47-7075 A, and 47-17625.
- 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:
- _____
- _____
- _____

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

Current Water Right No. 47-2345A

Current Water Right Owner
SALMON FALLS FARM
LLC
160904 JUANITA DR NE
STE 269
KENMORE, WA 98028

Priority Date: 11/30/1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON FALLS CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.875 CFS	
Total Diversion			2.875 CFS	

Source and Point(s) of Diversion:
SALMON FALLS CREEK NENW Sec. 26 Twp 09S Rge 13E TWIN FALLS 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	
09S	13E	10															40.0	40.0	80.0
09S	13E	14					31.0	32.0	34.0	30.0	33.0	40.0	40.0	40.0					280.0
09S	13E	15	40.0	40.0	40.0		40.0	40.0	40.0	40.0								38.0	318.0
09S	13E	22	27.0																27.0
09S	13E	23					28.0	27.0											55.0

Right Acre Limit: 140.0
POU Total Acres: 758.0

Conditions/Remarks:

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2345A, 47-2346A, 47-2347A, 47-7075B, and 47-7136B when combined shall not exceed a total diversion rate of 11.65 cfs, a total annual maximum diversion volume of 3032 af at the field headgate, and the irrigation of 758 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 47G.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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 this transfer is cause for the Director to rescind approval of the transfer.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

Conditions/Remarks:

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.
9. This right does not grant any right-of-way or easement across the land of another.

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

Current Water Right No. 47-2346A

Current Water Right Owner
SALMON FALLS FARM
LLC
160904 JUANITA DR NE
STE 269
KENMORE, WA 98028

Priority Date: 11/30/1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON FALLS CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.875 CFS	
Total Diversion			2.875 CFS	

Source and Point(s) of Diversion:
SALMON FALLS CREEK NENW Sec. 26 Twp 09S Rge 13E TWIN FALLS 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	
09S	13E	10															40.0	40.0	80.0
09S	13E	14					31.0	32.0	34.0	30.0	33.0	40.0	40.0	40.0					280.0
09S	13E	15	40.0	40.0	40.0		40.0	40.0	40.0	40.0								38.0	318.0
09S	13E	22	27.0																27.0
09S	13E	23					26.0	27.0											53.0

Right Acre Limit: 147.0
POU Total Acres: 758.0

Conditions/Remarks:

1. This right is limited to the irrigation of 147 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2345A, 47-2346A, 47-2347A, 47-7075B, and 47-7136B when combined shall not exceed a total diversion rate of 11.65 cfs, a total annual maximum diversion volume of 3032 af at the field headgate, and the irrigation of 758 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 47G.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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 this transfer is cause for the Director to rescind approval of the transfer.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

Conditions/Remarks:

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.
9. This right does not grant any right-of-way or easement across the land of another.

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

Current Water Right No. 47-2347A

Current Water Right Owner
SALMON FALLS FARM
LLC
160904 JUANITA DR NE
STE 269
KENMORE, WA 98028

Priority Date: 11/30/1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON FALLS CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.875 CFS	
Total Diversion			2.875 CFS	

Source and Point(s) of Diversion:
SALMON FALLS CREEK NENW Sec. 26 Twp 09S Rge 13E TWIN FALLS 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	
09S	13E	10															40.0	40.0	80.0
09S	13E	14					31.0	32.0	34.0	30.0	33.0	40.0	40.0	40.0					280.0
09S	13E	15	40.0	40.0	40.0		40.0	40.0	40.0	40.0								38.0	318.0
09S	13E	22	27.0																27.0
09S	13E	23					26.0	27.0											53.0

Right Acre Limit: 160.0

POU Total Acres: 758.0

Conditions/Remarks:

1. This right is limited to the irrigation of 160 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2345A, 47-2346A, 47-2347A, 47-7075B, and 47-7136B when combined shall not exceed a total diversion rate of 11.65 cfs, a total annual maximum diversion volume of 3032 af at the field headgate, and the irrigation of 758 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 47G.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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 this transfer is cause for the Director to rescind approval of the transfer.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

Conditions/Remarks:

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.
9. This right does not grant any right-of-way or easement across the land of another.

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

Current Water Right No. 47-7075B

Current Water Right Owner
SALMON FALLS FARM
LLC
160904 JUANITA DR NE
STE 269
KENMORE, WA 98028

Priority Date: 7/23/1969

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON FALLS CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.020 CFS	604.0 AFA	
Total Diversion			3.020 CFS	604.0 AFA	

Source and Point(s) of Diversion:
SALMON FALLS CREEK NENW Sec. 26 Twp 09S Rge 13E TWIN FALLS 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	
09S	13E	10															40.0	40.0	80.0
09S	13E	14					31.0	32.0	34.0	30.0	33.0	40.0	40.0	40.0					280.0
09S	13E	15	40.0	40.0	40.0		40.0	40.0	40.0	40.0								38.0	318.0
09S	13E	22	27.0																27.0
09S	13E	23					26.0	27.0											53.0

Right Acre Limit: 151.0
POU Total Acres: 758.0

Conditions/Remarks:

1. This right is limited to the irrigation of 151 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2345A, 47-2346A, 47-2347A, 47-7075B, and 47-7136B when combined shall not exceed a total diversion rate of 11.65 cfs, a total annual maximum diversion volume of 3032 af at the field headgate, and the irrigation of 758 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 47G.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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 this transfer is cause for the Director to rescind approval of the transfer.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

Conditions/Remarks:

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.
9. This right does not grant any right-of-way or easement across the land of another.

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

Current Water Right No. 47-7136B

Current Water Right Owner
SALMON FALLS FARM
LLC
160904 JUANITA DR NE
STE 269
KENMORE, WA 98028

Priority Date: 2/1/1972

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON FALLS CREEK Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.000 CFS	640.0 AFA	
Total Diversion			2.000 CFS	640.0 AFA	

Source and Point(s) of Diversion:
SALMON FALLS CREEK NENW Sec. 26 Twp 09S Rge 13E TWIN FALLS 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	
09S	13E	10															40.0	40.0	80.0
09S	13E	14					31.0	32.0	34.0	30.0	33.0	40.0	40.0	40.0					280.0
09S	13E	15	40.0	40.0	40.0		40.0	40.0	40.0	40.0								38.0	318.0
09S	13E	22	27.0																27.0
09S	13E	23					26.0	27.0											53.0

Right Acre Limit: 160.0
POU Total Acres: 758.0

Conditions/Remarks:

1. This right is limited to the irrigation of 160 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2345A, 47-2346A, 47-2347A, 47-7075B, and 47-7136B when combined shall not exceed a total diversion rate of 11.65 cfs, a total annual maximum diversion volume of 3032 af at the field headgate, and the irrigation of 758 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 47G.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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 this transfer is cause for the Director to rescind approval of the transfer.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

Conditions/Remarks:

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.
9. This right does not grant any right-of-way or easement across the land of another.

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.

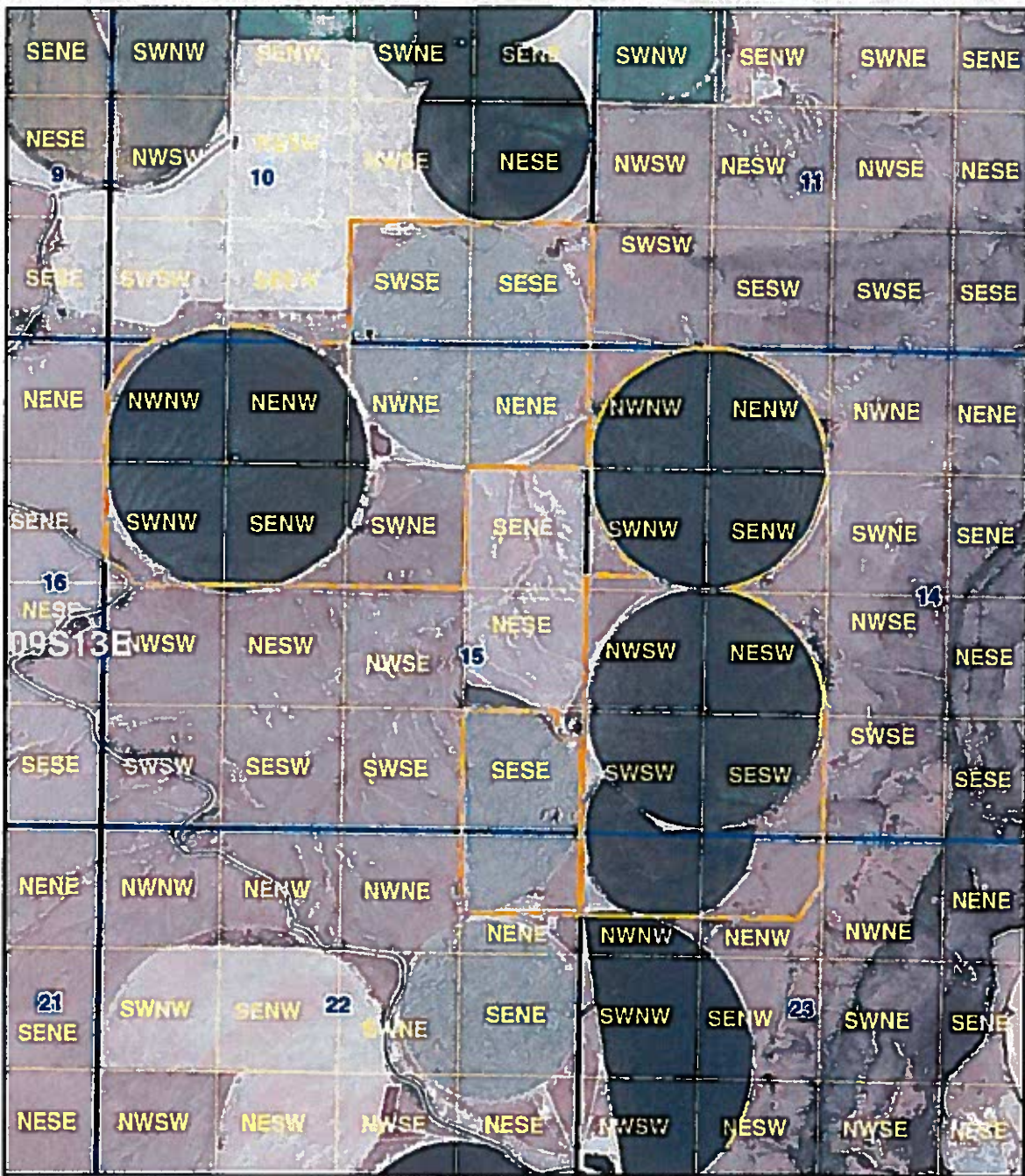
☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it Attachment #8b

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.:

[illegible]

The application was received before fees were paid. - TB

Idaho Department of Water Resources



Legend

-  Township/Range
-  Sections
- QQ

Proposed Place of Use



0 0.175 0.35 0.7 Miles

TRANSFER 80064

RECEIVED

MAY 18 2015

COMPANY RESOLUTION of HarvestWest Management, LLC, a Delaware limited liability company registered in the State of Washington

DEPT OF WATER RESOURCES
SOUTHERN REGION

Whereas the above named limited liability company is organized under the laws of Delaware;
and is the manager of the Salmon Falls Farm, LLC

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

Mike Frei, Managing Director

Is hereby authorized to execute any and all documents to purchase real property on behalf of the Salmon Falls Farm, LLC (an Idaho limited liability company), more specifically, that certain real property described on Exhibit "A" attached hereto and incorporated herein by reference.

Salmon Falls Farm, LLC shall be bound to and obligated upon any and all instruments and documents executed by the above referenced Managing Directors, in connection with the foregoing authority.

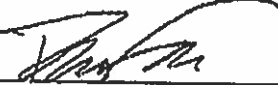
This Resolution may be signed in counterparts. A photocopy or facsimile of the Resolution or a party's signature hereon shall have the same force and effect as an original.

Dated and adopted this 30th day of December, 2012.

HARVESTWEST MANAGEMENT, LLC, a
Delaware limited liability company

By: 
Name: Lily C. Guse
Title: Managing Director

By: 
Name: Greg Richards
Title: Managing Director

By: 
Name: Brent Frei
Title: Managing Director

By: 
Name: Mike Frei
Title: Managing Director

TRANSFER 80064

No. W 120153	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. SALMON FALLS FARM, LLC LILY C GUSE 16904 JUANITA DR NE #269 KENMORE WA 98028		NATIONAL REGISTERED AGENTS INC 921 S ORCHARD ST STE G BOISE 83705	
			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
MANAGER	LILY C GUSE	16904 JUANITA DR NE #269	KENMORE	WA
Country	Postal Code	USA	98028	
5. Organized Under the Laws of: ID W 120153		6. Annual Report must be signed.* Signature: Lily C Guse Name (type or print): Lily C Guse Date: 10/16/2014 Title: Manager		
Processed 10/16/2014		* Electronically provided signatures are accepted as original signatures.		

TRANSFER 80064

TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE - GOODING
04:04:42 PM 11-20-2015
2015020301
NO. PAGES 2 FEE \$13.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY, DJW
Electronically Recorded by Simplifile

FOR VALUE RECEIVED, Northern Agriculture V, LLC, the Grantor(s), do(es) hereby grant, bargain sell and convey unto Salmon Farms, LLC, an Idaho limited liability company, the Grantee, whose current address is 160904 Juanita Dr., NE Suite 269, Kenmore, WA 98028 the following described premises, in Twin Falls County, Idaho, TO WIT:

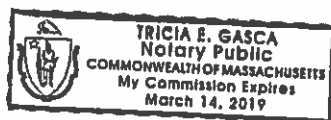
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT: * Subject to all existing patent reservations, restrictions, easements of record, and easements visible upon the premises, including irrigation and utility easements(if any), right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, and general taxes and assessments, for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.*

Northern Agriculture V, LLC
BY: Hancock Natural Resource Group, Inc., its investment Manager

State of Massachusetts)
County of Suffolk) S.S.

On this 19 day of November in the year of 2015, before me the undersigned, a Notary Public in and for said County and State, personally appeared Oliver S. Williams, IV known or identified to me to be the Sr. Vice President of the Corporation, that executed this instrument on behalf of Northern Agriculture V, LLC, a member of the limited liability company that executed this within instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company 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.



Tricia E. Masca
Notary Public
My Commission Expires on March 14, 2019
Residing at: Massachusetts

**LEGAL DESCRIPTION
FOR
NORTHERN AGRICULTURE V, LLC
TO
SALMON FALLS FARMS, LLC**

A parcel of land located in the SW1/4SW1/4 of Section 10, Township 9 South, Range 13 East, Boise meridian, Twin Falls County, Idaho and being more particularly described as follows:

**TOWNSHIP 9 SOUTH
RANGE 13 EAST**

**SECTIONS 10:
PARCEL "C" (1.785 ACRES)**

COMMENCING at the Southwest corner of said Section 10, from which the West One Quarter (W1/4) of Section 10 bears North 00°31'31" East-2645.78 feet, THENCE from the Southwest corner of said Section 10 on a bearing of South 89°15'10" East along the South boundary of the SW1/4 of Section 10 for a distance of 686.35 feet to the point of curvature of a non-tangent curve right, said point being the TRUE POINT OF BEGINNING:

THENCE Northeasterly along the arc of the non-tangent curve right for a distance of 669.20 feet to a point on the East boundary of the SW1/4SW1/4 of Section 10, said arc having a radius of 1459.00 feet and a chord bearing and distance of North 73°59'33" East-663.35 feet;

THENCE South 00°32'13" West along the East boundary of the SW1/4SW1/4 of Section 10 for a distance of 191.23 feet to the Southeast corner of the SW1/4SW1/4 of Section 10;

THENCE North 89°15'10" West along the South boundary of the SW1/4SW1/4 of Section 10 for a distance of 635.89 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO:

1-All easements and right-of-ways of record.



QUITCLAIM DEED

For Value Received

Northern Agriculture V, LLC

Hereinafter called the Grantor, hereby remises, releases, and forever Quitclaims unto

Northern Agriculture V, LLC

Whose address is: 301 East Main Street, Turlock, CA 95382

Hereinafter called the grantee, the following described premises, in Twin Falls County, Idaho to-wit:

See attached Survey description for Parcel "B"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the Grantee's heirs and assigns forever.

Dated: November 16, 2015
~~September 29~~

Northern Agriculture V, LLC

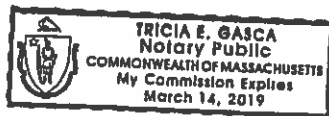
BY [Signature]
Member

Massachusetts
State of California)

County of Suffolk)

On this 16 day of November, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Oliver S. Williams IV, known or identified to me to be the manager or member of the limited liability company that executed this within instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company 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.



Tricia E. Gasca
Notary Public
Residing at: Massachusetts
Commission expires: March 14, 2019

TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE - GOODING
04:04:45 PM 11-20-2015
2015020302
NO. PAGES 2 FEE \$13.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: DJW
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

**LEGAL DESCRIPTION
FOR
NORTHERN AGRICULTURE V, LLC
TO
NORTHERN AGRICULTURE FARMS, LLC**

A parcel of land located in the W1/2SW1/4 of Section 10 and NW1/4NW1/4 of Section 15, Township 9 South, Range 13 East, Boise meridian, Twin Falls County, Idaho and being more particularly described as follows:

**TOWNSHIP 9 SOUTH
RANGE 13 EAST**

**SECTIONS 10 AND 15:
PARCEL "B" (78.55 ACRES)**

COMMENCING at the Southwest corner of said Section 10, from which the South One Quarter (S1/4 of Section 10 bears South 89°15'10" East-2644.49 feet, said Southwest corner of Section 10 being the **TRUE POINT OF BEGINNING**;

THENCE North 00°31'31" East along the West boundary of the SW1/4 of Section 10 for a distance of 2645.78 feet to the West One Quarter (W1/4) corner of Section 10;

THENCE South 89°16'47" East along the North boundary of the SW1/4 of Section 10 for a distance of 1322.78 feet to the Northeast corner of the NW1/4SW1/4 of Section 10;

THENCE South 00°32'13" West along the East boundary of the W1/2SW1/4 of Section 10 for a distance of 2455.17 feet to the point of curvature of a non-tangent curve left;

THENCE Southwesterly along the arc of the non-tangent curve left for a distance of 669.20 feet to a point on the South boundary of the SW1/4 of Section 10, said arc having a radius of 1459.00 feet and a chord bearing and distance of South 73°59'33" West-663.35 feet;

THENCE North 89°15'10" West along the South boundary of the SW1/4 of Section 10 for a distance of 686.35 feet to the **TRUE POINT OF BEGINNING**.

SUBJECT TO:

1-All easements and right-of-ways of record.



QUITCLAIM DEED

For Value Received

Salmon Falls Farms, LLC, an Idaho limited liability company

Hereinafter called the Grantor, hereby remises, releases, and forever Quitclaims unto

Salmon Falls Farms, LLC, an Idaho limited liability company
Whose address is: 160904 Juanita Dr., NE Suite 269, Kenmore WA 98028

Hereinafter called the grantee, the following described premises, in Twin Falls County, Idaho to-wit:

See attached Survey description for Parcel "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the Grantee's heirs and assigns forever.

Dated: September 29, 2015

Salmon Falls Farms, LLC

BY Michael J. Frei
Member

State of Idaho)

County of Idaho)

On this 29th day of Sept., 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Michael J. Frei, known or identified to me to be the manager or member of the limited liability company that executed this within instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company 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.



Julie Kachmuth
Notary Public
Residing at: Maneville
Commission expires: 9-30-16

TWIN FALLS COUNTY
RECORDED FOR
TITLEONE - GOODING
04:04:48 PM 11-20-2015
2015020303
NO. PAGES 2 FEE: \$13.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: DJW
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

**LEGAL DESCRIPTION
FOR
NORTHERN AGRICULTURE V, LLC
TO
SALMON FALLS FARMS, LLC**

A parcel of land located in the W1/2SW1/4 of Section 10 and N1/2 of Section 15, Township 9 South, Range 13 East, Boise meridian, Twin Falls County, Idaho and being more particularly described as follows:

**TOWNSHIP 9 SOUTH
RANGE 13 EAST**

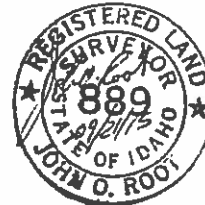
**SECTIONS 10 AND 15:
PARCEL "A" (282.838 ACRES)**

COMMENCING at the Northwest corner of said Section 15, from which the West One Quarter (W1/4 of Section 15 bears South 00°41'40" West-2648.04 feet, said Northwest corner of Section 15 being the **TRUE POINT OF BEGINNING**:

THENCE South 89°15'10" East along the North boundary of the NW1/4 of Section 15 for a distance of 686.35 feet to the point of curvature of a non-tangent curve right;
THENCE Northeasterly along the arc of the non-tangent curve right for a distance of 669.20 feet to a point on the East boundary of the SW1/4SW1/4 of Section 10, said arc having a radius of 1459.00 feet and a chord bearing and distance of North 73°59'33" East-663.35 feet
THENCE South 00°32'13" West along the East boundary of the SW1/4SW1/4 of Section 10 for a distance of 191.23 feet to a point on the North boundary of the NW1/4 of Section 15;
THENCE South 89°15'10" East along the North boundary of the NW1/4 of Section 15 for a distance of 1322.25 feet to the North One Quarter (N1/4) corner of Section 15;
THENCE South 89°17'10" East along the North boundary of the NE1/4 of Section 15 for a distance of 2641.28 feet to the Northeast corner of Section 15;
THENCE South 00°38'51" West along the East boundary of the NE1/4 of Section 15 for a distance of 1322.60 feet to the Southeast corner of the NE1/4NE1/4 of Section 15;
THENCE North 89°18'02" West along the South boundary of the NE1/4NE1/4 of Section 15 for a distance of 1320.92 feet to the Northeast corner of the SW1/4NE1/4 of Section 15;
THENCE South 00°39'07" West along the East boundary of the SW1/4NE1/4 of Section 15 for a distance of 1322.38 feet to the Southeast corner of the SW1/4NE1/4 of Section 15;
THENCE North 89°18'10" West along the South boundary of the SW1/4NE1/4 of Section 15 for a distance of 1321.12 feet to the Southeast corner of the NW1/4 of Section 15;
THENCE North 89°18'12" West along the South boundary of the NW1/4 of Section 15 for a distance of 2645.79 feet to the West One Quarter (W1/4) corner of Section 15;
THENCE North 00°41'40" East along the West boundary of the NW1/4 of Section 15 for a distance of 2648.04 feet to the **TRUE POINT OF BEGINNING**.

SUBJECT TO:

1-All easements and right-of-ways of record.



RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

TWIN FALLS COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW - JERO
02:31:02 PM 12-31-2012
2012025479
NO. PAGES 6 FEE: \$25.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BH
Electronically Recorded by Simplifile

(Space Above For Recorder's Use)

WARRANTY DEED

For good and valuable consideration, the receipt of which is hereby acknowledged, FLYING D, L.L.C., an Idaho limited liability company ("*Grantor*"), conveys, grants and warrants to SALMON FALLS FARM, LLC, an Idaho limited liability company, ("*Grantee*"), whose address is 160904 Juanita Dr. NE, Suite 269, Kenmore, WA 98028 and its successors and assigns forever, the real property described on the attached Exhibit A:

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way, Grantor's right title and interest in State of Idaho water rights listed on the attached Exhibit B, all other water rights and entitlements to receive water under ditch or canal company shares or otherwise, in anywise appertaining to the property herein described as well in law as in equity.

This conveyance, however, is SUBJECT TO taxes and assessments for the year 2012 and all subsequent years; any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record; those Permitted Exceptions listed on *Schedule 1* attached hereto; and to any existing tenancies, all zoning and property use laws and ordinances, ditch rights, and to any state of facts an accurate survey or inspection of the premises would show (collectively the "*Permitted Encumbrances*").

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said premises; that the premises are free from all liens, claims and encumbrances, excepting the Permitted Encumbrances, and that Grantor will warrant and defend the same from all lawful claims, except for any claims arising from the Permitted Encumbrances.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 31st day of December, 2012.

GRANTOR:

Flying D, L.L.C.

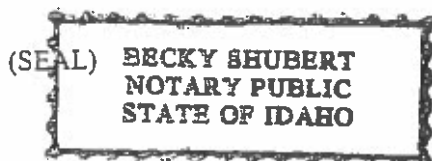
Date: 12/31/12

By: Jeff Driscoll
Jeff Driscoll,

STATE OF IDAHO)
COUNTY OF Jerome) :SS.

On this 31st day of December, 2012, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Jeff Driscoll**, known or identified to me to be the manager or member of the limited liability company that executed the within instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company 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.



Becky Shubert
NOTARY PUBLIC
Residing at: Jerome ID
Commission expires: 02-23-2017

EXHIBIT A – Legal Description

Parcel No. 1:

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 10: S $\frac{1}{4}$ SE $\frac{1}{4}$; That portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:
BEGINNING at a point on the Westerly boundary line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE from said point of beginning South along the Western boundary line of said property a distance of 350 feet to the Southwest corner of said property;
THENCE East along the Southern boundary line of said property a distance of 1320 feet to a point which is the Southeast corner of said property;
THENCE North along the Eastern boundary line of said property a distance of 450 feet to a point;
THENCE Southwesterly on a straight line to the POINT OF BEGINNING.

AND

That portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:
BEGINNING at the Southeast corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$;
THENCE North along the East boundary line of said property a distance of 302.5 feet to a point;
THENCE West on a straight line a distance of 302.5 feet to a point;
THENCE South on a straight line a distance of 302.5 feet to a point on the Southern boundary of said property;
THENCE East along the Southern boundary line of said property a distance of 302.5 feet to the POINT OF BEGINNING.

Parcel No. 2:

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 14: W $\frac{1}{4}$

Parcel No. 3:

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 15: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Parcel No. 4:

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 15: NW $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{4}$ NE $\frac{1}{4}$

Parcel No. 5:

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 22: The South one-third of the Northeast Quarter of the Northeast Quarter;
The South one-half of the Northeast Quarter;
The South one-half of the Northwest Quarter

-Continued-

Parcel No. 6:

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 22: N2/3NE1/4NE1/4

Parcel No. 7:

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 22: The Northeast Quarter of the Southwest Quarter;
The North one-half of the Southeast Quarter;
The Southeast Quarter of the Southeast Quarter

Parcel No. 8:

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls County, Idaho

Section 23: The Northwest Quarter of the Southwest Quarter

Parcel No. 9:

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 23: N2/3N1/4NW1/4

Parcel No. 10:

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls County, Idaho

Section 23: The South one-third of the North one-half of the Northwest Quarter;
The South one-half of the Northwest Quarter

Parcel No. 11:

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls County, Idaho

Section 27: The West one-half



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

June 15, 2015

CHARLES RUNYON
WATER DISTRICT #47-G
716B E 4900 N
BUHL, ID 83316

RE: Transfer No. 79773
Water Right No(s). 47-7075A, 47-7136A, 47-17187

RE: Transfer No. 80064
Water Right No(s). 47-2345A, 47-2346A, 47-2347A, 47-7075B, 47-7136B

Dear Charles:

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 unopposed 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)

MEMORANDUM

Date: June 1, 2015
To: Transfer 80064 File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to change the place of use (POU) for five water rights with a combined diversion rate of 11.65 cfs, and combined total of 758 acres being diverted from Salmon Falls Creek. The POU is located approximately 7.5 to 9.1 miles west and 2.9 to 4.3 miles north of the intersection of Broadway Avenue and Clear Lakes Road in Buhl. Application seeks to cover ground purchased from a neighbor and also applicant's property which was not covered by a water right. Recommend processing without advertising.

- **Authority to File:**
The Department's database indicates that water rights 47-2345A, 47-2346A, 47-2347A, 47-7075B, and 47-7136B are owned by the applicant, Salmon Falls Farm, LLC. Application was signed by Mike Frei, who is the Managing Director of Harvest West Management, which manages Salmon Falls Farm, LLC. He is authorized to sign documents for Salmon Falls Farm, LLC. Documentation is in file.
- **Water Right Validity:**
Rights 47-2345A, 47-2346A, 47-2347A, 47-7075B, and 47-7136B were partially decreed in the SRBA in June of 2009. Based on this, it appears that forfeiture is not an issue.
- **Injury to Other Water Rights:**
None anticipated or foreseen.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the 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.

M E M O R A N D U M

Date: May 29, 2015
To: Transfer 80064 and 79773 Files
From: Jim Bitzenburg
Re: Lost check

The payment for these two transfers was to be made by Flying D, LLC (Jeff Driscoll), the previous owner of the farm. He had mailed the check to our office on or about May 19, but the check didn't arrive until today. In the meantime, his wife hand-delivered a replacement check on May 27th. I called Jeff to find out what he wanted me to do with the check; he told me to shred it, which I did, with Carrie Hahn as a witness.

MEMORANDUM

Date: May 27, 2015
To: Salmon Falls Farm, LLC, 80064 transfer file
From: Jim Bitzenburg
Re: Receipting of fees paid

Fee of \$200.00 was based on the modification of 3.5 acres out of the 758 acre POU, and that percentage multiplied by the overall diversion rate of 11.65 cfs totaled 0.05 cfs. The fee was paid by Flying D LLC (Jeff Driscoll) in one check with the \$500.00 fee for transfer 79773, also for Salmon Falls Farm, LLC.