

APR 28 2015**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**Transfer No. 79965DEPT OF WATER RESOURCES
SOUTHERN REGION**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) N RANCH 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 N RANCH LLC Phone 208-421-0172
Mailing Address 3497 E 3000N, KIMBERLY ID 83341 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.

Jammy D Kinsey
Signature of Applicant or Authorized Representative

Jammy Kinsey
Print Name and Title if applicable

April 28 2015
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
	47-2333	No	No	Yes	Yes	No	No

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application filed to change the place of use to new, more productive, ground and to add an additional
point of diversion where McMullen Creek can be diverted into the system.

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 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
47-2333	1.200 cfs	N/A	N/A	60.0		N/A	N/A	N/A	N/A
COMBINED									
TOTALS	1.200 cfs	N/A	N/A	60.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 1.2 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. 47-2333

Current Water Right Owner
N RANCH LLC
3497 E 3000N
KIMBERLY, ID 83341

Priority Date: 3/29/1960

Origin: Water Right

Basis: Decreed

Status Active

Source: MC MULLEN CREEK Tributary: COTTONWOOD CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.200 CFS	
Total Diversion			1.200 CFS	

Source and Point(s) of Diversion:

MC MULLEN CREEK	NENWNE	Sec. 32 Twp 11S Rge 18E TWIN FALLS County
MC MULLEN CREEK	SWSE	Sec. 32 Twp 11S Rge 18E TWIN FALLS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	32	35.0	10.0	5.0	10.0													60.0

POU Total Acres: 60.0

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

Existing ditch and pipeline, and existing pump to pipeline, serving sprinkler system. Measuring device(s)
will be installed when required.

- b. Who owns the property at the point(s) of diversion

Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

No, ☐ If Yes, ☒

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien: Farmers National Bank

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Land will no longer be irrigated with water from McMullen Creek

- 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:

Twin Falls Canal Company shares on both properties

- 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. 47-2333

Current Water Right Owner WILMOTH L KINSEY
 3497 E 3000 N
 KIMBERLY, ID 83341

Priority Date: 3/29/1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: MC MULLEN CREEK

Tributary: COTTONWOOD CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.200 CFS	
Total Diversion			1.200 CFS	

Source and Point(s) of Diversion:

MC MULLEN CREEK

NENWNE

Sec. 32 Twp 11S Rge 18E TWIN FALLS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	32		21.0	5.0		29.0			5.0									60.0

Right Acre Limit: 125.0

POU Total Acres: 60.0

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right is combined with water from Twin Falls Canal Co.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

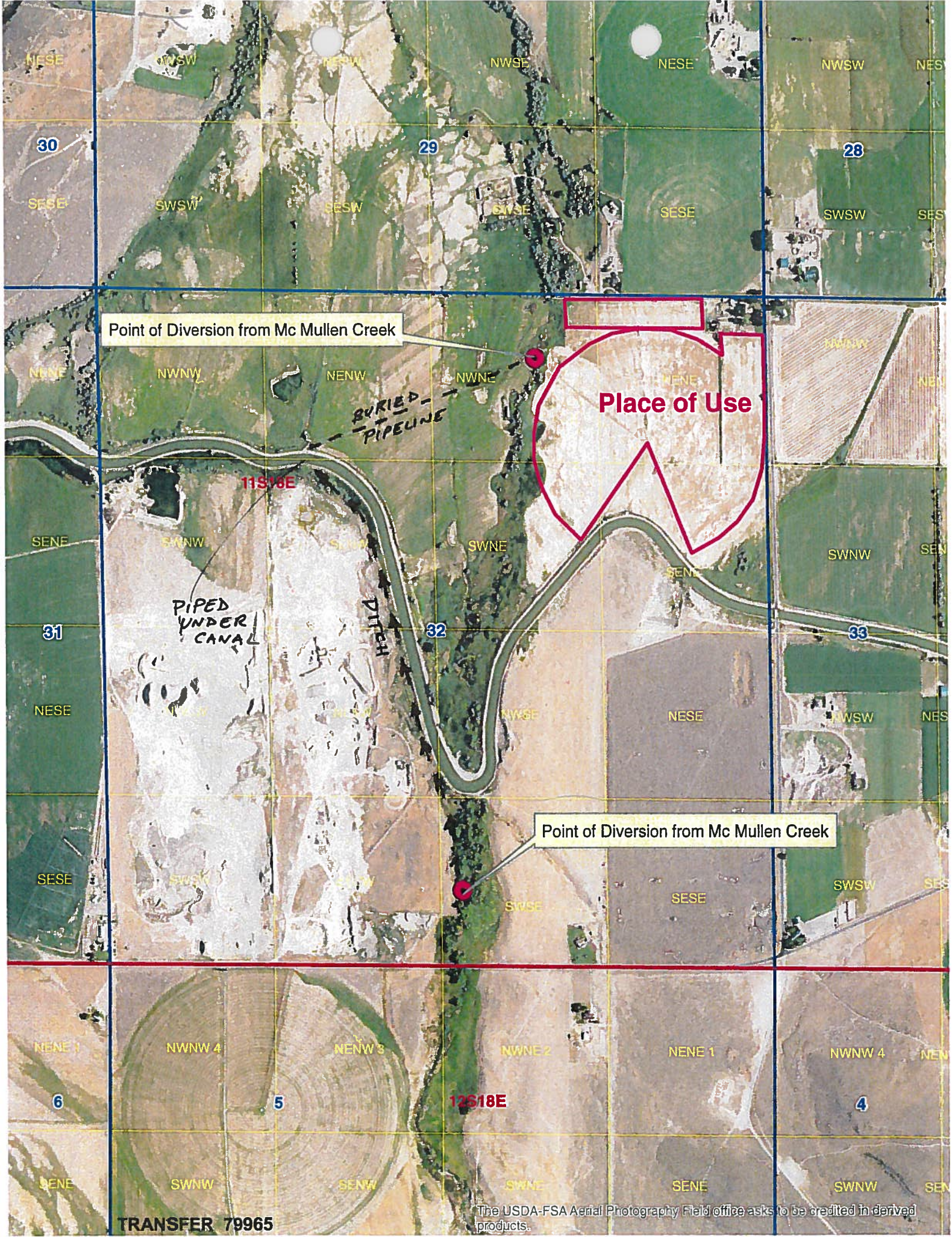
☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly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

Transfer Contains 7 pages and attachments.
Received By A. SKINNER Date 4/28/2015 Prelim. Check By Date
Fee Paid \$605.00 Date 4/28/2015 Received By A. SKINNER Receipt # 5034726
Add'l Fee Paid Date Received By Receipt #



No. W 127161	Due no later than Jul 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. N RANCH, LLC JAMEY KINSEY 3497 E 3000 N KIMBERLY ID 83341		M. WILMOTH KINSEY 3497 E 3000 N KIMBERLY ID 83341			
			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
MANAGER	JAMEY D KINSEY	3497 E 3000 N	KIMBERLY	ID	USA	83341
5. Organized Under the Laws of:		6. Annual Report must be signed.*				
ID W 127161		Signature: Jamey Kinsey		Date: 05/10/2014		
		Name (type or print): Jamey Kinsey		Title: Manager		
Processed 05/10/2014		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 79965



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APR 16 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

13 April 2015

Idaho Department of Water Resources

C/O Cory Skinner

650 Addison Ave W Suite 500

Twin Falls ID 83301

Dear Cory,

As we discussed on the phone Farmers Bank has no objection to application 79965 made by N Ranch LLC to divert water from one side of McMullen Creek to the other.

If you require further assistance with this matter feel free to contact me at 208-734-1587.

Sincerely,

Dennis Peters

TRANSFER 79965

RECORDATION REQUESTED BY:

Thomas G. Walker, Esq.
Cosho Humphrey, LLP
800 Park Blvd., Suite 790
Boise, ID 83712
Ph: 208-344-7811
Fax: 208-338-3290

WHEN RECORDED MAIL TO:

Thomas G. Walker, Esq.
Cosho Humphrey, LLP
PO Box 9518
Boise, ID 83707-9518
Ph: 208-344-7811
Fax: 208-338-3290

SEND TAX NOTICES TO:

N Ranch, LLC
c/o M. Wilmoth Kinsey
3497 A E 3000 N
Kimberly, Idaho 83341

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

QUITCLAIM DEED

1. DATE, NAMES OF PARTIES AND ADDRESSES.

1.1. Date. This quitclaim deed is executed and delivered by Grantor to Grantee on August 5th, 2013.

1.2. Name of Grantor and Address. M. Wilmoth Kinsey, individually and as liquidator of the Kinsey Family Limited Partnership, whose address is 3497 A E 3000 N, Kimberly, ID 83341, is the Grantor.

1.3. Name of Grantee and Address. N Ranch, LLC, an Idaho limited liability company, whose address is 3497 A E 3000 N, Kimberly, ID 83341, is the Grantee.

2. CONVEYANCE. For value received and in accordance with paragraph 11.2 of the Limited Partnership Agreement, Grantor releases, remises and forever quitclaims to Grantee, all right, title and interest in and to certain real property located in Twin Falls County, Idaho, and more particularly described on the attached Exhibit "A".

Including all BLM and Forest Service Permits.

3. SIGNATURES.


M. WILMOTH KINSEY, Individually

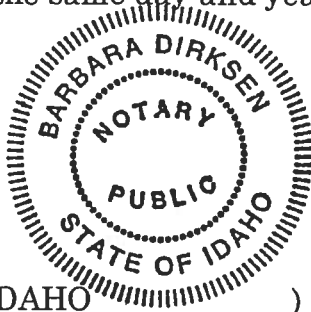
Kinsey Family Limited Partnership

By 
M. WILMOTH KINSEY, General
Partner and Liquidator

STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On August 5th, 2013, before me, the undersigned, a notary public in and for said county and state, personally appeared M. Wilmoth Kinsey, known to me to be person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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



Barbara Dirksen
NOTARY PUBLIC FOR IDAHO
Residing at Jerome, ID
My Commission Expires: 3-29-18

STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On August 5th, 2013, before me, the undersigned, a notary public in and for said county and state, personally appeared M. Wilmoth Kinsey, known to me to be the general partner and liquidator of the Kinsey Family Limited Partnership, and the partner who subscribed said partnership name to the foregoing instrument and acknowledged to me that she executed the same in said partnership name.

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



Barbara Dirksen
NOTARY PUBLIC FOR IDAHO
Residing at Jerome, ID
My Commission Expires: 3-29-18

Exhibit "A"

Real property in the County of Twin Falls, State of Idaho, described as follows:

PARCEL NO. 1

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 32: W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPT: Section 32: S $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

ALSO EXCEPT: Section 32: SE $\frac{1}{4}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

SUBJECT TO Highway District right of way.

AND EXCEPT:

PARCEL NO. A

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 32: A parcel of land located in the E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ being more particularly described as follows:

COMMENCING at the Southwest corner of Section 32; said point lies North 89°54'17" West 2646.15 feet from the South quarter corner of Section 32;

THENCE South 89°54'17" East 1323.08 feet along the South boundary of Section 32 to the Southwest corner of E $\frac{1}{2}$ SW $\frac{1}{4}$, being the REAL POINT OF BEGINNING;

THENCE North 00°53'49" West, 3915.42 feet along the West boundary of E $\frac{1}{2}$ SW $\frac{1}{4}$ and E $\frac{1}{2}$ W $\frac{1}{4}$ of Section 32;

THENCE South 85°49'15" East 48.57 feet;

THENCE North 82°40'51" East 246.00 feet;

THENCE South 79°37'05" East 127.78 feet;

THENCE South 57°31'16" East 288.46 feet;

THENCE South 36°27'05" East 250.85 feet;

THENCE South 13°44'21" East 850.53 feet;

THENCE South 14°06'29" East 889.50 feet;

THENCE South 18°18'53" East 291.45 feet;

THENCE South 05°07'27" East 254.15 feet;

THENCE South 05°04'18" East 819.11 feet;

THENCE South 15°29'25" West 550.44 feet to a point on the South boundary of Section 32;

THENCE North 89°54'17" West 1207.71 feet along the South boundary of Section 32 to the REAL POINT OF BEGINNING.

SUBJECT TO: A 25.00-foot-wide county roadway easement being parallel with, adjoining and north of the south boundary of the above described parcel.

AND EXCEPT:

PARCEL NO. B

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 32: A parcel of land located in W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ being more particularly described as follows:

COMMENCING at the East quarter corner of Section 32; said point lies South 00°38'53" East 2654.48 feet from the Northeast corner of Section 32;

THENCE North 89°51'26" West 342.84 feet along the North boundary of SE $\frac{1}{4}$, Section 32 to the REAL POINT OF BEGINNING;

THENCE North 89°51'26" West 978.56 feet to the Northwest corner of NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32;

THENCE South 00°45'17" East 1298.34 feet along the West boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE North 90°00'00" West 1028.96 feet;

THENCE North 66°03'59" East 61.16 feet;

JK

THENCE North 38°16'16" East 124.12 feet;
THENCE North 13°50'55" East 126.48 feet;
THENCE North 00°54'36" East 369.69 feet;
THENCE North 08°15'01" East 322.34 feet;
THENCE North 19°11'12" East 218.03 feet;
THENCE North 29°38'54" East 97.19 feet;
THENCE North 40°55'33" East 1089.90 feet;
THENCE North 70°06'21" East 144.49 feet;
THENCE South 84°43'14" East 112.57 feet;
THENCE South 48°16'26" East 106.24 feet;
THENCE South 39°23'34" East 416.40 feet;
THENCE South 49°39'10" East 181.16 feet;
THENCE South 60°17'44" East 131.28 feet;
THENCE South 61°36'14" East 115.50 feet;
THENCE South 01°18'30" West 160.87 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH: A 50.00-foot-wide vehicular access easement being described by centerline as follows:

COMMENCING at the East quarter corner of said Section 32;
THENCE North 00°38'53" West 11.69 feet, along the East boundary of Section 32 to the REAL POINT OF BEGINNING of the centerline of said 50.00 foot-wide easement;
THENCE North 80°43'53" West 345.70 feet to the ending point of the centerline of said 50.00 foot wide easement.

AND TOGETHER WITH: A 50.00 foot wide vehicular access easement being described as follows:

COMMENCING at the East quarter corner of Section 32;
THENCE North 89°51'26" West 1321.40 feet;
THENCE South 00°45'17" East 1298.34 feet;
THENCE North 90°00'00" West 1028.96 feet to the REAL POINT OF BEGINNING;
THENCE South 90°00'00" West 310.47 feet;
THENCE South 05°04'18" East 50.20 feet;
THENCE South 90°00'00" East 316.63 feet;
THENCE North 66°03'59" East 123.25 feet;
THENCE South 90°00'00" West 123.25 feet to the REAL POINT OF BEGINNING.

PARCEL NO. 2

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 33: SW¼NW¼

PARCEL NO. 3

Township 12 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 5: Lots 2, 3 and 4, SW¼NE¼, S½NW¼, N½SW¼ and NW¼SE¼.

EXCEPT Section 5, Township 12 South, Range 18 East, Boise Meridian;
COMMENCING at the Northeast corner of Section 5, being the corner common to Sections 32, 33, 4 and 5;
THENCE West along the Northern boundary of said section 5 for 1,630 feet;
THENCE 90° South for 29.0 feet to the REAL POINT OF BEGINNING;
Continuing South for 726 feet;
THENCE 90° East parallel to the Northern boundary of Section 5 for 300 feet;
THENCE 90° North for 726 feet;
THENCE 90° West for 300 feet to the REAL POINT OF BEGINNING.

PARCEL NO. 4

Township 14 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho

9/24

Section 20: $W\frac{1}{2}NE\frac{1}{4}$

Section 21: $N\frac{1}{2}$, $N\frac{1}{2}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$ EXCEPT that part lying South of Highway right of way, $N\frac{1}{2}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$ EXCEPT that part lying South of Highway right of way.

Section 22: $E\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$

Section 23: The East 60 acres of the $E\frac{1}{2}$ of the $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$

Section 25: $E\frac{1}{2}$, $NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$ EXCEPT Highway of North one-half, $W\frac{1}{2}SW\frac{1}{4}$

Section 26: $N\frac{1}{2}$

Section 27: $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$

Section 28: That part of the North one-half of the North one-half lying North of Highway right of way

Section 36: All

Township 15 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho

Section 1: $N\frac{1}{2}$, $NW\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$

Section 12: $SW\frac{1}{4}SW\frac{1}{4}$

Township 12 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 6: Lots 1, 2, 3, 4, 5 and 6 EXCEPT the $E\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$

EXCEPT

Township 12 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 6: A parcel of land located in Government Lot 4 being more particularly described as follows:

Beginning at the Northwest corner of said Section 6 from which the Northeast corner of said Section 6 bears South $89^{\circ}48'00''$ East, 4803.86 feet;
Thence South $89^{\circ}48'00''$ East for a distance of 1104.78 feet to the centerline of Foothills road and a point of curve on a non tangent curve to the left, of which the radius point lies South $00^{\circ}12'00''$ West, a radial distance of 692.63 feet; Thence Westerly along the arc, through a central angle of $32^{\circ}42'41''$, a distance of 395.44 feet, long chord bearing South $73^{\circ}50'41''$ West for a distance of 390.09 feet;
Thence South $57^{\circ}29'22''$ West along said centerline for a distance of 864.75 feet to a point on the West boundary of said Government Lot 4;
Thence North $00^{\circ}05'04''$ West along the West boundary of Government Lot 4 a distance of 577.16 feet to the POINT OF BEGINNING.

SUBJECT TO: A 25.00 feet in width county road easements along the West, North and Southeasterly boundaries.

2/2/13



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

May 14, 2015

N RANCH LLC
3497 E 3000N
KIMBERLY, ID 83341

RE: Transfer No. 79965
Water Right No(s). 47-2333

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 5/21/2015 and 5/28/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**June 8, 2015**).

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Denise Maline".

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, May 14, 2015 8:51 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on May 21st & 28th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

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



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May 14, 2015

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 79965
Water Right No(s): 47-2333

RE: Transfer No. 80039
Water Right No(s): 37-10146, 37-20396, 37-8361

RE: Transfer No. 80058
Water Right No(s): 47-16397

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 8, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79965**

N RANCH LLC, 3497 E 3000N, KIMBERLY, ID 83341; has filed Application No. 79965 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-2333. The purpose of the transfer is to change a portion of the above rights as follows: Application filed to change the place of use of a water right that allows for the diversion of 1.2 cfs of water from Mc Mullen Creek, north of the High Line Canal, for the irrigation of 60 acres. The proposed change in place of use consists of moving water from lands west of Mc Mullen Creek to a new place of use on lands east of Mc Mullen Creek, north of the Highline Canal, approximately 0.0 to 0.4 miles west and 7.0 to 7.4 miles south of the center of Kimberly. The application also proposes to describe an existing ditch diversion from Mc Mullen Creek as an additional point of diversion. This additional point of diversion is located on the west side of Mc Mullen Creek approximately 700 feet south of the High Line Canal and delivers water to the new place of use.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80039**

BOOTJACK LIMITED PARTNERSHIP, PO BOX 856, SHOSHONE, ID 83352; has filed Application No. 80039 for changes to the following water rights within LINCOLN County(s): Right No(s). 37-10146, 37-20396, 37-8361. The purpose of the transfer is to change a portion of the above rights as follows: Application filed to add existing wells as authorized points of diversion and to modify the places of use of three water rights associated with a CAFO located along the west side of Highway 75 approximately 4.75 to 5.25 miles north of Shoshone. The changes proposed to the records will reflect the current operation of the CAFO facility. In total, three existing interconnected wells will be used to divert up to 0.15 cfs and 40.9 afa of water for the facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80058**

MATHERS RANCH INC, 3485 E 3100 N, KIMBERLY, ID 83341; has filed Application No. 80058 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-16397. The purpose of the transfer is to change a portion of the above rights as follows: Application filed to modify a water right that currently authorizes the diversion of up to 0.96 cfs of water from Mc Mullen Creek or Cottonwood Creek for irrigation of 48 acres and stockwater use on land located approximately 7.25 to 7.6 miles south and 2.4 to 2.7 miles west of the center of Kimberly. The application will change a 36.3 acre portion of the right to groundwater recharge storage and groundwater recharge from storage uses to be associated with a reservoir located approximately 7.35 to 7.6 miles south and 2.65 to 2.9 miles west of the center of Kimberly. The application will also change a 3.4 acre portion of the right to wildlife storage use to be associated with a pond located on the Cottonwood Creek channel located approximately 7.7 miles south and 2.5 miles west of the center of Kimberly. The application will also transfer 1.0 acre of irrigation use to a new location near Mc Mullen Creek approximately 9.3 miles south and 0.4 miles west of the center of Kimberly. The application will also more accurately describe the actual locations of stockwater use on the applicant's land from the conveyance ditches from Mc Mullen Creek and Cottonwood Creek and describe the locations of injection and redirection of Mc Mullen Creek water into and from the Cottonwood Creek channel. After the proposed transfer, the water right will allow for 50.8 acre-feet of groundwater recharge storage and groundwater recharge from storage uses, 4.8 acre-feet of wildlife storage use, the continued stockwater use, and a total of 8.3 acres of irrigation (transferred one acre portion to land near Mc Mullen Creek and remaining 7.3 acres at the currently authorized place of use).

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before June 8, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 21st & 28th, 2015

MEMORANDUM

Date: May 12, 2015
To: Transfer 79965 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application filed to change the place of use of a water right (47-2333) that allows for the diversion of 1.2 cfs of water from Mc Mullen Creek, north of the High Line Canal, for the irrigation of 60 acres. The proposed change in place of use consists of moving water from lands west of Mc Mullen Creek to a new place of use on lands east of Mc Mullen Creek, north of the Highline Canal, approximately 0.0 – 0.4 miles west and 7.0 – 7.4 miles south of the center of Kimberly. The application also proposes to describe an existing ditch diversion from Mc Mullen Creek as an additional point of diversion. This additional point of diversion is located on the west side of Mc Mullen Creek approximately 700 feet south of the High Line Canal and delivers water to the new place of use.

- **Authority to File:**
The application is filed in the name of N Ranch LLC. A quitclaim deed has been included with the application indicating that the applicant owns the place of use and the right involved with the transfer. Note that the transfer will update the ownership of the right involved with the transfer.
- **Water Right Validity:**
The right involved with the transfer was decreed in the SRBA in 2010.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. The application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

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

MEMORANDUM

TO: Transfer # 79965 File

FROM: Corey Skinner

DATE: May 12, 2015

SUBJECT: Filing Fee

The filing fee, \$605.00, for this transfer is based on the total amount of water being transferred, 1.20 cfs. The transfer fee schedule for a transfer involving 1.01 – 2.00 cfs indicates that the filing fee is \$580.00. The remainder of the filing fee includes a \$25.00 ownership change fee.