

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 11 2015

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-14046 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-14052 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-14280 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-14381 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-14382 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Idaho Water Co LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Monty and Carolene Funk
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- P.O. Box 360 American Falls ID 83211
Mailing address City State ZIP
(208)226-5207 monty@countylinefarms.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: varies, 9/25/2012 - 1/29/2015
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 35-14046

8. Signature: Monty Funk Title, if applicable: Monty Funk Date: 2-10-2015
 Signature: Carolene Funk Title, if applicable: Carolene Funk Date: 2/10/15

For IDWR Office Use Only:

Received by: JTB Date: 2/11/2015 Receipt No. E040632 Receipt Amt. \$125. -
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing
 Name on W-9: _____ Approved by: JTB/JH Processed by: JTB Date: 3/10/2015

Deeds recorded in wrong order. OK per Jean Hersley.

Instrument # 207133

POWER COUNTY, IDAHO

3-3-2015 12:40:53 PM No. of Pages: 1

Recorded for : MONTY FUNK

SHARIE SPRAGUE

Ex-Officio Recorder Deputy

Fee: 10.00

Mayra Schelske

WATER RIGHTS QUIT CLAIM DEED

TO ALL CONCERNED:

On this 3rd day of March, 2015, County Line Farms (Grantor), do hereby convey to Monty & Carolene Funk, all interest in the following water rights:

35-14046

35-14052

35-14280

Grantor does hereby represent said water rights to be free and clear of all liens and encumbrances. The terms of this deed shall be binding upon the heirs, successors and assigns of the signatory parties hereto.

Monty Funk - Partner of County Line Farms

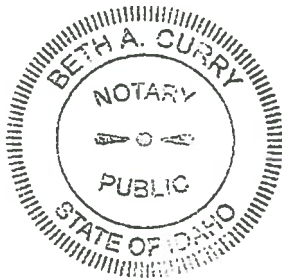
Name & Title

Grantor

State of Idaho)

County of Power)

This instrument was acknowledged before me on the 3rd day of March, 2015 by



Beth A. Curry

Notary Public

My commission expires 8/12/2016

When recorded return to:

Instrument # 207134

POWER COUNTY, IDAHO

3-3-2015 12:45:07 PM No. of Pages: 2

Recorded for : MONTY FUNK

SHAREE SPRAGUE

Fee: 13.00

Ex-Officio Recorder Deputy

Maureen Schelske

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Company of 1135 Valley Rd. So. Eden, ID 83325(Grantor) does hereby grant, bargain, sell, assign, and convey unto Monty and Carolene Funk of _____ State of Idaho (Grantee) and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the portion of the water right described in Exhibit 1 and hereto (collectively the "Water Right").

Grantor retains no residual or reversionary interest in the Water Rights listed in the exhibits of the contract between Buyer and Seller.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner or has the right to sell through an option contract with the original owner of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other covenants or warranties as to the Water Rights.

The Subject Water Rights are appurtenant to the real property described in Exhibit 1 consisting of a Water Right Report for Water Rights 35-14381 and 35-14382 and the legal description of land the Water Rights are appurtenant to. **No Land is included in this Deed. This deed is a substitute deed for one already provided for these Water Rights.**

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor: Idaho Water Company LLC by Delbert Kohtz
Dated: Feb 6, 2015 By: Delbert Kohtz

STATE OF IDAHO

County of Cassia)
) S.

On this 6 day of Feb, 2015, before me the undersigned Notary Public in and for said state, personally appeared Delbert Kohtz, Managing Member of Idaho Water Company LLC, and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

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

[Signature]
Notary public for Wells Fargo Bank

My commission expires Jun 05 2019 Residing at Cassia Idaho



When recorded return to:

Instrument # 207135
POWER COUNTY, IDAHO
3-3-2015 12:45:53 PM No. of Pages: 4
Recorded for : MONTY FUNK
SHARIE SPRAGUE Fee: 19.00
Ex-Officio Recorder Deputy *Maryann Schelske*

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Co. LLC whose address is 1135 Valley Rd. So. Eden, ID. 83325 (Grantor) does hereby grant, bargain, sell, assign, and convey unto County Line Farms of PO Box 360, American Falls, Idaho 83211, State of Idaho (Grantee) and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the water rights or portions thereof described in Exhibits 1-3 attached hereto (collectively the "Water Right")

Grantor retains no residual or reversionary interest in the Water Right listed in the exhibits of the contract between Buyer and Seller.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner or has the right to sell through an option contract with the original owner of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other covenants or warranties as to the Water Rights.

The Subject Water Rights are appurtenant to the real property described in Exhibit 1- 3 consisting of a Water Right Report for Water Right # 35-14280 and legal description of land the Water Rights are appurtenant to. **No Land is included in this Deed.**

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor: _____

Dated: 9/24/12

By: _____

Exhibits:

Exhibit 1: Water Right Number 35-14280

Exhibit 2. Water Right Report attached

Exhibit 3. Legals of portions of Water Rights included in The Agreement for Purchase and Sale of Water Rights are as shown on Exhibit 2 having already been transferred to the place of use indicated by the buyer in accordance with approved Transfer #78017. There are 77.5 Acres of Water included in this agreement that are appurtenant to the above land.

STATE OF IDAHO

County of Power)
) S.
)

On this 25th day of Sept., 2012, before me the undersigned Notary Public in and for said state, personally appeared Del Kohtz and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

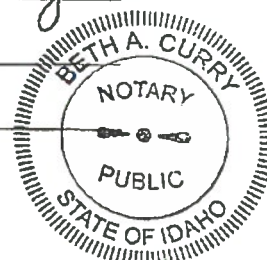
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Beth A. Curry

Notary public for Idaho

Residing at Arbon, Id

My commission expires 8/12/2016



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/17/2012

WATER RIGHT NO. 35-14280

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135
Original Owner	PLACERTON INC . ID
Original Owner	EASTERN IDAHO PRODUCTION CREDIT ASSN 188 W JUDICIAL PO BOX 985 BLACKFOOT, ID 83221 (208)785-1510

Priority Date: 07/19/1973
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.19 CFS	310 AFA
Total Diversion			1.19 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 77.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW	40		NWNNW	40		SWNNW	40		SENNW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40

Total Acres: 320

Conditions of Approval:

1. X27 This right is limited to the irrigation of 77.5 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
3. 206 Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 182.5 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. R05 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. 120.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 78017, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 201 The combination of changes under: Transfer approval 78016 as described under right 25-14380 Transfer approval 78017 as described under right 35-14280 Transfer approval 78018 as described under right 25-14381 Transfer approval 78019 as described under right 25-14382 provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation. Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 78017.
9. R64 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 lands above.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 06/07/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 182.5

Combined Volume Limit: 730

Combined Rate Limit: 2.74

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Instrument # 207136

POWER COUNTY, IDAHO

3-3-2015 12:46:26 PM No. of Pages: 6

Recorded for : MONTY FUNK

SHAREE SPRAGUE

Fee: 25.00

Ex-Officio Recorder Deputy

Mayraon Schelske

When recorded return to:

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Co. LLC whose address is 1135 Valley Rd. So. Eden, ID. 83325 (Grantor) does hereby grant, bargain, sell, assign, and convey unto County Line Farms of PO Box 360, American Falls, Idaho 83211, State of Idaho (Grantee) and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the water rights or portions thereof described in Exhibits 1-3 attached hereto (collectively the "Water Right")

Grantor retains no residual or reversionary interest in the Water Right listed in the exhibits of the contract between Buyer and Seller.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner or has the right to sell through an option contract with the original owner of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other covenants or warranties as to the Water Rights.

The Subject Water Rights are appurtenant to the real property described in Exhibit 1- 3 consisting of Water Right Reports for Water Right # 35-14046 & 35-14052 and legal description of land the Water Rights are appurtenant to. **No Land is included in this Deed.**

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor: _____

Dated: 9/25/12

By: _____

Exhibits:

Exhibit 1: Water Right Number 35-14046, 35-14052

Exhibit 2. Water Right Reports attached

Exhibit 3. Legals of portions of Water Rights included in The Agreement for Purchase and Sale of Water Rights are as shown on Exhibit 2 having already been transferred to the place of use indicated by the buyer in accordance with approved Transfer #78017. There are 105.0 Acres of Water included in this agreement that are appurtenant to the above land.

STATE OF IDAHO

County of Power

On this 25th day of Sept, 2012, before me the undersigned Notary Public in and for said state, personally appeared Del Kohtz and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

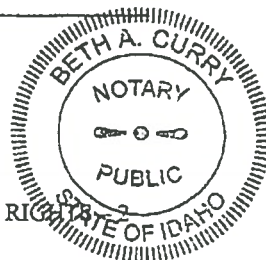
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Beth A. Curry

Notary public for Idaho

Residing at Anton, Id

My commission expires 8/12/2016



SPECIAL WARRANTY DEED FOR WATER RIGHT

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/17/2012

WATER RIGHT NO. 35-14046

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135
Directors Report Owner	FARM CREDIT BANK OF SPOKANE 2225 W BROADWAY STE A IDAHO FALLS, ID 83402 (208)552-2300
Directors Report Owner	AG AMERICA FARM CREDIT BANK C/O FARM CREDIT SERVICES PO BOX 51598 IDAHO FALLS, ID 83405 (208)523-1066
Security Interest	RIDGEWAY HOLDINGS LLC C/O CAROL OLSEN 155 W STONERUN LN IDAHO FALLS, ID 83404

Priority Date: 10/31/1986

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.41 CFS	110.9 AFA
Total Diversion			0.41 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SE|SENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 27.7

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40

Total Acres: 320

Conditions of Approval:

1. K09 This right is for an enlargement of 27.7 acres within the place of use described for this right.
2. X35 Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.
3. X35 Rights 35-14046, 35-14052 and 35-14046 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
4. 206 Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 182.5 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. R05 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. 120.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 214 Prior to the diversion and use of water under Transfer approval 78017, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. R64 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 lands above.
10. K02 This right is based upon an enlargement of Right No. 35-14052 pursuant to Section 42-1426, Idaho Code.
11. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
12. 004 This right does not grant any right-of-way or easement across the land of another.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 09/12/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 182.5

Combined Volume Limit: 730

Combined Rate Limit: 2.74

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/17/2012

WATER RIGHT NO. 35-14052

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135
Directors Report Owner	FARM CREDIT BANK OF SPOKANE 2225 W BROADWAY STE A IDAHO FALLS, ID 83402 (208)552-2300
Directors Report Owner	AG AMERICA FARM CREDIT BANK C/O FARM CREDIT SERVICES PO BOX 51598 IDAHO FALLS, ID 83405 (208)523-1066

Priority Date: 01/27/1976
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.55 CFS	309.1 AFA
Total Diversion			1.55 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 77.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW/40			NWNNW/40			SWNNW/40			SENNW/40	
				NESW/40			NWWSW/40			SWSW/40			SESW/40	

Total Acres: 320

Conditions of Approval:

1. X27 This right is limited to the irrigation of 77.3 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.

3. X35 Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
4. 206 Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 182.5 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. R05 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. 120.
7. 214 Prior to the diversion and use of water under Transfer approval 78017, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. R64 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 lands above.
10. K01 Right No. 35-14046 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 09/12/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 182.5

Combined Volume Limit: 730

Combined Rate Limit: 2.74

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Masson
Schelske

WATER USE AGREEMENT

TO ALL CONCERNED,:

On this 3rd day of March, I/we, Calvin Dyer
(Grantors)

do hereby agree to allow Monty & Carolene Funk
(Grantee) to irrigate a portion of the
Grantor's property as shown on attached Exhibit-A with water properly authorized and
diverted under Grantee's water rights and through Grantee's existing water delivery
system.

Subject to the following conditions:

1. Term of Agreement: This Agreement shall become effective on the date signed and the term of this Agreement shall continue indefinitely unless requested in writing by either party.
2. Ownership of the Water Rights & Irrigation System: **Ownership of the Water Rights and irrigation system appurtenances shall at all times remain vested in the Grantee** and this agreement shall not be construed to provide Grantor any claim or interest to the water rights utilized for irrigation of the property associated with this agreement. Any wells, pipelines, or other facilities whether existing, or that have been constructed or installed in connection with the conveyance of water pursuant to this agreement shall remain the property of the **Grantee**.
3. Maintenance of the Water Rights: Grantee agrees to abide by all necessary rules and regulations promulgated by the State of Idaho related to the use and maintenance of the Water Rights, and to perform at its own expense all filings and other activities required by such rules and regulations as may be necessary associated with this agreement.
4. Payments and Costs: Grantee shall be responsible for and shall bear all direct costs of permitting, operation and maintenance of the wells, water pipelines, pumping stations, and other facilities required to irrigate the described property, including any tests or monitoring necessary.
5. Cooperation. The Grantor hereby agrees to cooperate with the Idaho Department of Water Resources for proper development, permitting and utilization of the Grantees Water Rights for irrigation of the described property. Any such necessary filings shall be in the name of the Grantee.

6. Notices. Any notice provided for in or concerning this Agreement shall be in writing and be deemed sufficiently given when sent by certified or registered United States mail or by overnight delivery by a nationally recognized carrier to the respective address of the Grantors and Grantee as set forth below

➤ If to the Grantors:

Name: Calvin Dyer
Street: P.O. Box 162
City/State: American Falls ID 83211
Phone: 228-

➤ If to Grantee:

Name: Monty & Carolene Funk
Street: P.O. Box 360
City/State: American Falls, ID 83211
Phone: (208) 226-5207

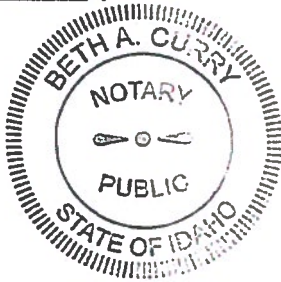
7. Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the state of Idaho.
8. Entire Agreement. This Agreement shall constitute the entire agreement between the Parties and supersedes any prior understanding, representation, or agreement of the Parties regarding the subject matter hereof. Any modification of this Agreement or additional obligation assumed by either Party in connection with this Agreement shall be binding only if evidenced in writing signed by each Party or an authorized representative of each Party.
9. Authorization. Each individual executing this Agreement does thereby represent and warrant that he or she has been duly authorized to sign this Agreement in the capacity on behalf of the entities it represents.
10. Execution of Agreement. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

Beth A. Curry
Name
Grantor

Name
Grantor

State of Idaho)
County of Power)

This instrument was acknowledged before me on the 3rd day of March,
20 15 by



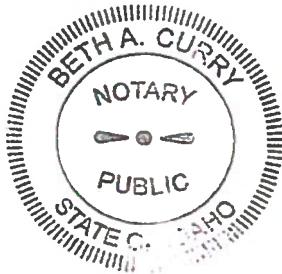
Beth A. Curry
Notary Public
My commission expires 8/12/2014

Monte Lee
Name
Partner
Title
Grantee

Carlene Luk
Name
Partner
Title
Grantee

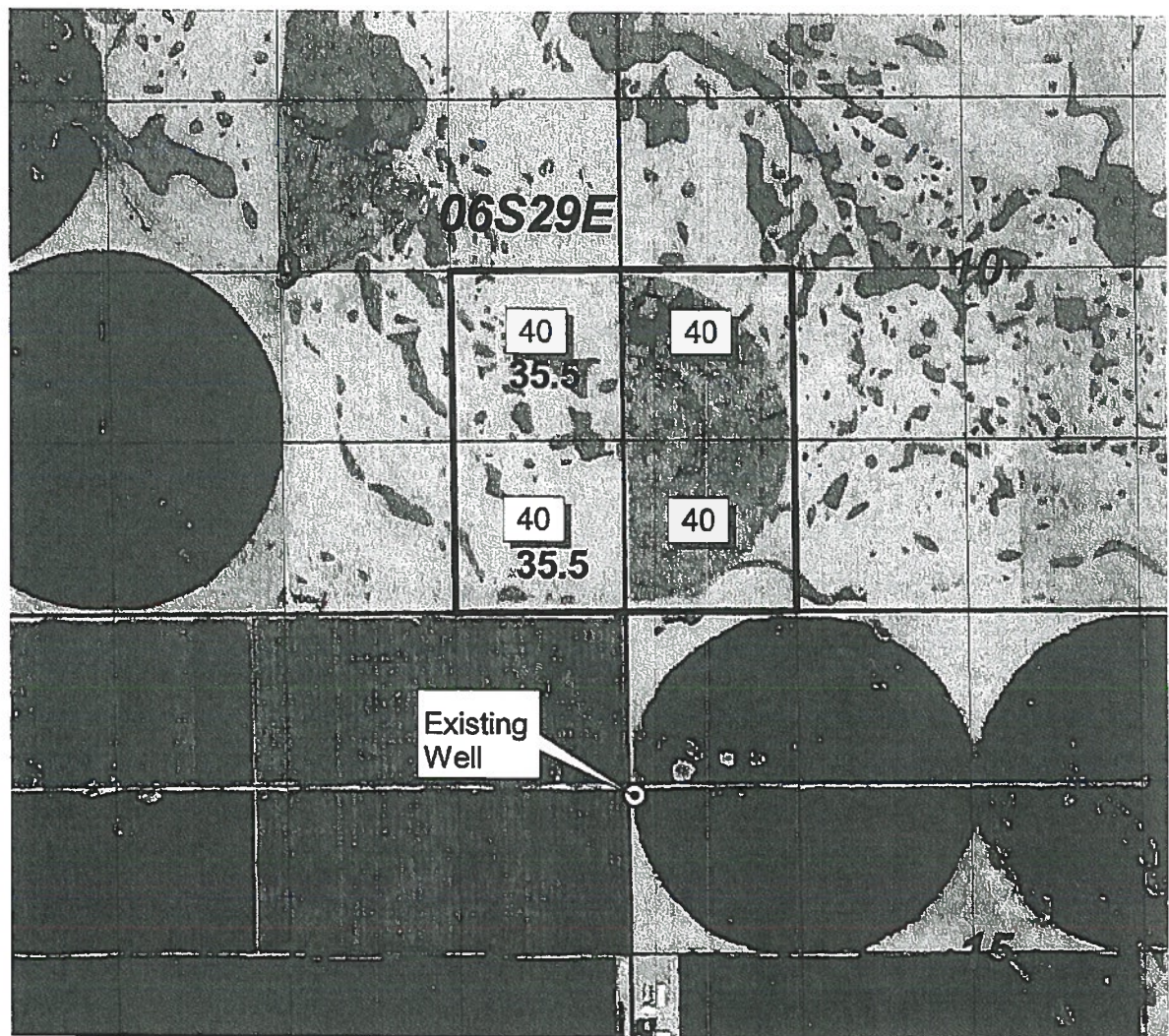
State of Idaho)
County of Power)

This instrument was acknowledged before me on the 3rd day of March,
20 15 by



Beth A. Curry
Notary Public
My commission expires 8/12/2016

Application for Water Right Transfer **Existing Point of Diversion & Proposed Permissible Place of Use**



JCH - 02/24/2015

2013 NAIP Aerial Photo

0.25 0 0.25 0.5 0.75 Miles

⊙ Existing Point of Diversion

▭ Sections

▭ Proposed New Permissible Place of Use
 160.0 Total Acres

▭ 40s (Power County)

35.5 Proposed irrigation (2015) 71.0 Total Acres



Attachment #7a

Exhibit-A

When recorded return to:

Instrument # 207140

POWER COUNTY, IDAHO

3-3-2015 04:40:26 PM No. of Pages: 6

Recorded for : MONTY FUNK

SHAREE SPRAGUE

Fee: 25.00

Ex-Officio Recorder Deputy

Mayson Schelske

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Co. LLC whose address is 1135 Valley Rd. So. Eden, ID. 83325 (Grantor) does hereby grant, bargain, sell, assign, and convey unto County Line Farms of PO Box 360, American Falls, Idaho 83211, State of Idaho (Grantee) and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the water rights or portions thereof described in Exhibits 1-3 attached hereto (collectively the "Water Right")

Grantor retains no residual or reversionary interest in the Water Right listed in the exhibits of the contract between Buyer and Seller.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner or has the right to sell through an option contract with the original owner of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other covenants or warranties as to the Water Rights.

The Subject Water Rights are appurtenant to the real property described in Exhibit 1- 3 consisting of Water Right Reports for Water Right # 35-14046 & 35-14052 and legal description of land the Water Rights are appurtenant to. **No Land is included in this Deed.**

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor: _____

Dated: 9/25/12

By: _____

Exhibits:

Exhibit 1: Water Right Number 35-14046, 35-14052

Exhibit 2. Water Right Reports attached

Exhibit 3. Legals of portions of Water Rights included in The Agreement for Purchase and Sale of Water Rights are as shown on Exhibit 2 having already been transferred to the place of use indicated by the buyer in accordance with approved Transfer #78017. There are 105.0 Acres of Water included in this agreement that are appurtenant to the above land.

STATE OF IDAHO

County of Power

On this 25th day of Sept, 2012, before me the undersigned Notary Public in and for said state, personally appeared Del Kohtz and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

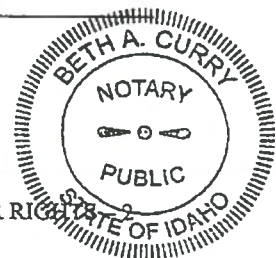
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Beth A. Curry

Notary public for Idaho

Residing at Arbon, Id

My commission expires 8/12/2016



SPECIAL WARRANTY DEED FOR WATER RIGHTS

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/17/2012

WATER RIGHT NO. 35-14046

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135
Directors Report Owner	FARM CREDIT BANK OF SPOKANE 2225 W BROADWAY STE A IDAHO FALLS, ID 83402 (208)552-2300
Directors Report Owner	AG AMERICA FARM CREDIT BANK C/O FARM CREDIT SERVICES PO BOX 51598 IDAHO FALLS, ID 83405 (208)523-1066
Security Interest	RIDGEWAY HOLDINGS LLC C/O CAROL OLSEN 155 W STONERUN LN IDAHO FALLS, ID 83404

Priority Date: 10/31/1986
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.41 CFS	110.9 AFA
Total Diversion			0.41 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SE|SENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 27.7

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW/40	40		NWNW/40	40		SWNW/40	40		SENW/40	40
				NESW/40	40		NWSW/40	40		SWSW/40	40		SESW/40	40

Total Acres: 320

Conditions of Approval:

1. K09 This right is for an enlargement of 27.7 acres within the place of use described for this right.
2. X35 Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.
3. X35 Rights 35-14046, 35-14052 and 35-14046 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
4. 206 Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 182.5 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. R05 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. 120.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 214 Prior to the diversion and use of water under Transfer approval 78017, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. R64 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 lands above.
10. K02 This right is based upon an enlargement of Right No. 35-14052 pursuant to Section 42-1426, Idaho Code.
11. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
12. 004 This right does not grant any right-of-way or easement across the land of another.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 09/12/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 182.5

Combined Volume Limit: 730

Combined Rate Limit: 2.74

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/17/2012

WATER RIGHT NO. 35-14052

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135
Directors Report Owner	FARM CREDIT BANK OF SPOKANE 2225 W BROADWAY STE A IDAHO FALLS, ID 83402 (208)552-2300
Directors Report Owner	AG AMERICA FARM CREDIT BANK C/O FARM CREDIT SERVICES PO BOX 51598 IDAHO FALLS, ID 83405 (208)523-1066

Priority Date: 01/27/1976
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.55 CFS	309.1 AFA
Total Diversion			1.55 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 77.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW/40			NWNW/40			SWNW/40			SENW/40	
				NESW/40			NWSW/40			SWSW/40			SESW/40	

Total Acres: 320

Conditions of Approval:

- X27 This right is limited to the irrigation of 77.3 acres within the authorized place of use in a single irrigation season.
- X35 Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.

3. X35 Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
4. 206 Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 182.5 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. R05 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. 120.
7. 214 Prior to the diversion and use of water under Transfer approval 78017, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. R64 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 lands above.
10. K01 Right No. 35-14046 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 09/12/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 182.5

Combined Volume Limit: 730

Combined Rate Limit: 2.74

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Cloco

When recorded return to:

Instrument # 207141
POWER COUNTY, IDAHO
3-3-2015 04:41:17 PM No. of Pages: 4
Recorded for : MONTY FUNK
SHAREE SPRAGUE Fee: 19.00
Ex-Officio Recorder Deputy *Maureen Schelske*

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Co. LLC whose address is 1135 Valley Rd. So. Eden, ID. 83325 (Grantor) does hereby grant, bargain, sell, assign, and convey unto County Line Farms of PO Box 360, American Falls, Idaho 83211, State of Idaho (Grantee) and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the water rights or portions thereof described in Exhibits 1-3 attached hereto (collectively the "Water Right")

Grantor retains no residual or reversionary interest in the Water Right listed in the exhibits of the contract between Buyer and Seller.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner or has the right to sell through an option contract with the original owner of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other covenants or warranties as to the Water Rights.

The Subject Water Rights are appurtenant to the real property described in Exhibit 1- 3 consisting of a Water Right Report for Water Right # 35-14280 and legal description of land the Water Rights are appurtenant to. **No Land is included in this Deed.**

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor: _____

Dated: 9/24/12

By: _____

Exhibits:

Exhibit 1: Water Right Number 35-14280

Exhibit 2. Water Right Report attached

Exhibit 3. Legals of portions of Water Rights included in The Agreement for Purchase and Sale of Water Rights are as shown on Exhibit 2 having already been transferred to the place of use indicated by the buyer in accordance with approved Transfer #78017. There are 77.5 Acres of Water included in this agreement that are appurtenant to the above land.

STATE OF IDAHO

County of Power

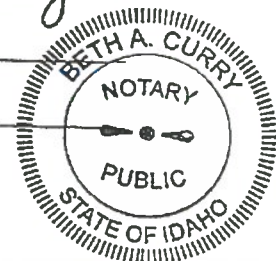
On this 25th day of Sept, 2012, before me the undersigned Notary Public in and for said state, personally appeared Del Kohtz and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

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

Notary public for Idaho

Residing at Arbon, id

My commission expires 8/12/2016



Closo

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/17/2012

WATER RIGHT NO. 35-14280

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135
Original Owner	PLACERTON INC , ID
Original Owner	EASTERN IDAHO PRODUCTION CREDIT ASSN 188 W JUDICIAL PO BOX 985 BLACKFOOT, ID 83221 (208)785-1510

Priority Date: 07/19/1973
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.19 CFS	310 AFA
Total Diversion			1.19 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 77.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW 40			NWNW 40			SWNW 40			SENW 40	
				NESW 40			NWSW 40			SWSW 40			SESW 40	

Total Acres: 320

Conditions of Approval:

1. X27 This right is limited to the irrigation of 77.5 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database
3. 206 maintained by the department. Before changing the 182.5 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. R05 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. 120.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 78017, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 201 The combination of changes under: Transfer approval 78016 as described under right 25-14380 Transfer approval 78017 as described under right 35-14280 Transfer approval 78018 as described under right 25-14381 Transfer approval 78019 as described under right 25-14382 provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation. Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 78017.
9. R64 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 lands above.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. 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.
13. T19

Dates:

Licensed Date:

Decreed Date: 06/07/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 182.5

Combined Volume Limit: 730

Combined Rate Limit: 2.74

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Instrument # 207142

POWER COUNTY, IDAHO

3-3-2015 04:42:00 PM No. of Pages: 2

Recorded for : MONTY FUNK

SHAREE SPRAGUE

Fee: 13.00

Ex-Officio Recorder Deputy

M. Schelske

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Idaho Water Company, LLC, an Idaho limited liability company, whose address is 1135 Valley Road South, Eden, Idaho 83325, ("Grantor") does hereby grant, bargain, sell, assign, and convey unto Monty Funk, whose address is PO Box 360, American Falls, Idaho 83211 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title and interest in water right nos. 35-14381 and 35-14382 (formerly portions of right nos. 35-2348 and 35-7929, respectively), described in Exhibit A hereto (the "Water Rights").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Rights;
- (B) Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) The Water Rights are free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Rights to Grantee.

Grantor makes no other covenants or warranties as to the Water Rights.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 14th day of July, 2014.

IDAHO WATER COMPANY, LLC

By: *[Signature]*

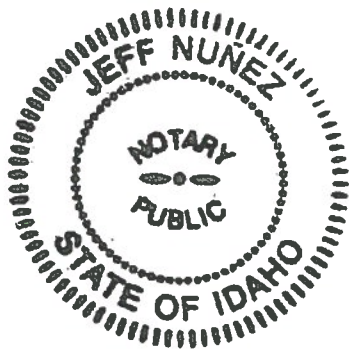
Delbert G. Kohtz, Member

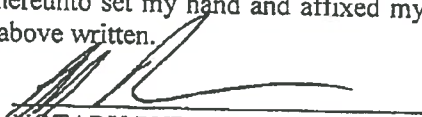
[acknowledgement on next page]

STATE OF IDAHO)
) ss.
County of Power)

On this 14th day of July, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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




NOTARY PUBLIC FOR IDAHO
Residing at: Power County / Idaho
My commission expires: 03/4/19

Instrument # 207143

POWER COUNTY, IDAHO

3-3-2015 04:42:48 PM No. of Pages: 8

Recorded for : MONTY FUNK

SHARIE SPRAGUE

Ex-Officio Recorder Deputy

Fee: 31.00

Mayman
Schelske

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Idaho Water Company, LLC, an Idaho limited liability company, whose address is 1135 Valley Road South, Eden, Idaho 83325, ("Grantor") does hereby grant, bargain, sell, assign, and convey unto Monty Funk, whose address is PO Box 360, American Falls, Idaho 83211 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title and interest in water right nos. 35-14381 and 35-14382 (formerly portions of right nos. 35-2348 and 35-7929, respectively), described in Exhibit A hereto (the "Water Rights").

Grantor hereby covenants and warrants to Grantee as follows:

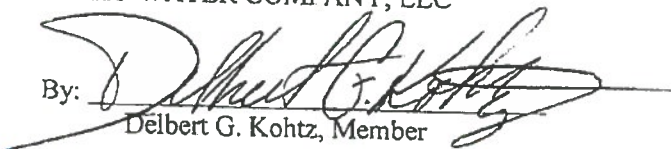
- (A) Grantor is the owner of the Water Rights;
- (B) Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) The Water Rights are free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Rights to Grantee.

Grantor makes no other covenants or warranties as to the Water Rights.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 14th day of July, 2014.

IDAHO WATER COMPANY, LLC

By: 

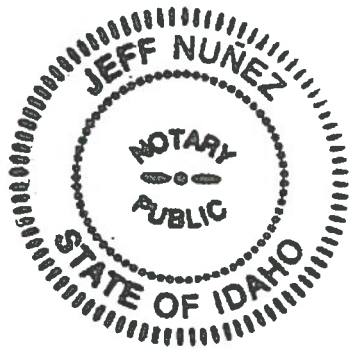
Delbert G. Kohtz, Member

[acknowledgement on next page]

STATE OF IDAHO)
County of Power) ss.

On this 14th day of July, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Power County / Idaho
My commission expires: 03/4/19

EXHIBIT A (Description of Water Rights)

Page 5 of 18

WATER RIGHT NO. 35-14381

As Modified by Transfer No. 79217

In accordance with the approval of Transfer No. 79217, Water Right No. 35-14381 is now described as follows:

Right Holder:
FARMS LLC
C/O BRAD HALL
2840 SUNNYBROOK LN
IDAHO FALLS, ID 83404

Priority Date: 8/18/1953

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From	To	Diversion Rate	Diversion Volume
04/01	10/31	1.010 cfs	202.0 af
		1.010 cfs	202.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Sec 12 Twp 06S Rgn 29E POWER 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	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.0

Right Acre Limit: 50.5
POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14381 and 35-14382 when combined shall not exceed a total diversion rate of 1.01 cfs, a total annual maximum diversion volume of 310.0 af at the field headgate, and the irrigation of 77.5 acres.
3. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 260.0 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 260.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 260.0 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Transfer No. 79217

WATER RIGHT NO. 35-14381
As Modified by Transfer No. 79217

CONDITIONS OF APPROVAL

4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 79217, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 cfs per acre at the field headgate for irrigation of the place of use.
9. The combination of changes under Transfer approvals:
79213 as described under rights 25-14405 and 25-14406
79215 as described under rights 29-14106 and 29-14107
79217 as described under rights 35-14381 and 35-14382
79218 as described under rights 27-12265 and 27-12266
provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 79217.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 79217

WATER RIGHT NO. 35-14381
As Modified by Transfer No. 79217

CONDITIONS OF APPROVAL

13. 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.



Transfer No. 79217

WATER RIGHT NO. 35-14382
As Modified by Transfer No. 79217

In accordance with the approval of Transfer No. 79217, Water Right No. 35-14382 is now described as follows:

Right Holder: FARMS LLC
 C/O BRAD HALL
 2840 SUNNYBROOK LN
 IDAHO FALLS, ID 83404

Priority Date: 12/3/1980

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From	To	Diversion Rate	Diversion Volume
04/01	10/31	0.660 cfs	131.6 af
		0.660 cfs	131.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Sec 12 Twp 06S Rge 29E POWER 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	
08S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 32.9
 POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the Irrigation of 32.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14381 and 35-14382 when combined shall not exceed a total diversion rate of 1.01 cfs, a total annual maximum diversion volume of 310.0 af at the field headgate, and the Irrigation of 77.5 acres.
3. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the Irrigation of a specific 260.0 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 260.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 260.0 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the Irrigation season in which the change will occur.

Transfer No. 79217

WATER RIGHT NO. 35-14382

As Modified by Transfer No. 79217

CONDITIONS OF APPROVAL

4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 79217, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The combination of changes under Transfer approvals:
79213 as described under rights 25-14405 and 25-14408
79215 as described under rights 29-14108 and 29-14107
79217 as described under rights 35-14381 and 35-14382
79218 as described under rights 27-12265 and 27-12266
provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.
Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 79217.
9. 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 79217

WATER RIGHT NO. 35-14382
As Modified by Transfer No. 79217

CONDITIONS OF APPROVAL

13. Pursuant to Section 42-1412(5), 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.



Transfer No. 79217

Instrument # 659042

BINGHAM COUNTY

6-5-2014 09:20:38 No. of Pages: 24

Recorded for : 1559 IDAHO WATER COMPANY

SARA J. STAUB

Fee: 79.00

Ex-Officio Recorder Deputy

Ksecrist

SPECIAL WATER RIGHTS DEED

FARMS, LLC, and Idaho limited liability company ("Grantor"), does hereby grant, bargain, sell, assign, and convey unto IDAHO WATER COMPANY, LLC, an Idaho limited liability company, whose address is 1135 Valley Road South, Eden, Idaho, 83325 ("Grantee"), and to Grantee's heirs and assigns forever, all of Grantors' right, title, and interest in Water Right Nos. 25-14405, 25-14406, 29-14106, 29-14107, 35-14381, 35-14382, 27-12265, and 27-12266 (formerly portions of right nos. 35-2348 and 35-7929), described in Exhibit A hereto (the "Water Rights").

Grantor covenants and warrants to Grantee as follows:

- A. Grantor is the owner of the Water Rights;
- B. Grantor has not conveyed the Water Rights to anyone other than Grantee;
- C. The Water Rights are being conveyed free from all liens, claims or encumbrances; and
- D. Grantor has the authority to convey the Water Rights to Grantee.

Grantor makes no other covenants, representations or warranties as to the Water Rights.

No land is included in or conveyed by this grant.

IN WITNESS WHEREOF, the undersigned Grantor has caused its name to be hereunto subscribed this 4 day of June, 2014.

FARMS, LLC

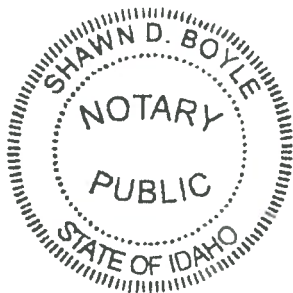
Brad Hall POA Brad Hall
By: Brad H. Hall by Cole Hall, his attorney-in-fact
Its: Manager

[acknowledgement on next page]

State of Idaho)
) SS
County of)

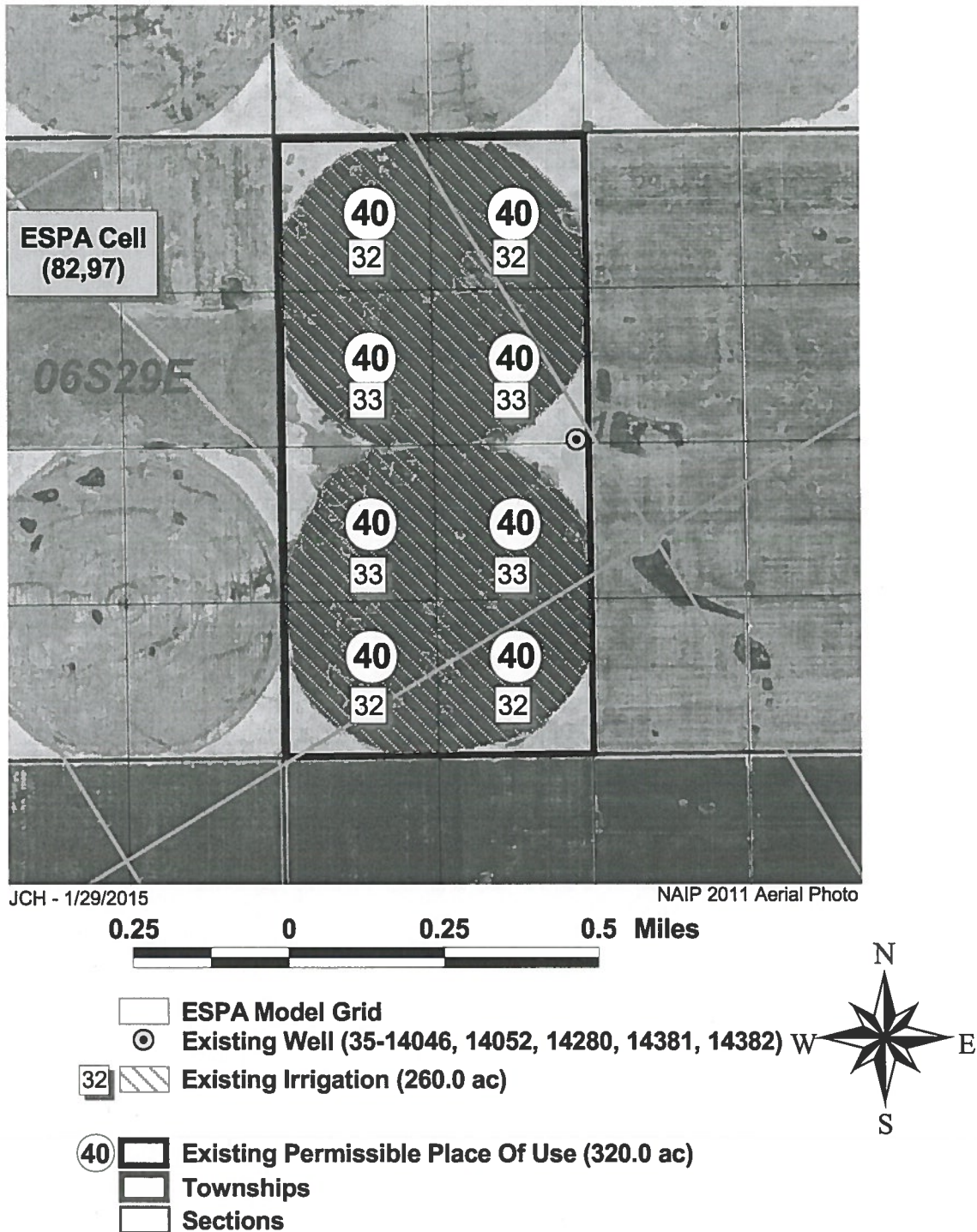
On this 4 day of June, in the year of 2014, before me, a Notary Public in and for said State, personally appeared Cole Hall, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Brad H. Hall, as Manager of Farms, LLC, an Idaho limited liability company, and acknowledged to me that he subscribed the name of Brad H. Hall thereto as said Manager for and on behalf of said company, and his own name as attorney in fact.

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



S. D. Boyle
Notary Public for Idaho
Residing at Bonneville County
My Commission expires 1-25-2019

Notice of Change in Water Right Ownership (Existing Place of Use)



When recorded return to:

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Co. LLC whose address is 1135 Valley Rd. So. Eden, ID. 83325 (Grantor) does hereby grant, bargain, sell, assign, and convey unto County Line Farms of PO Box 360, American Falls, Idaho 83211, State of Idaho (Grantee) and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the water rights or portions thereof described in Exhibits 1-3 attached hereto (collectively the "Water Right")

Grantor retains no residual or reversionary interest in the Water Right listed in the exhibits of the contract between Buyer and Seller.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner or has the right to sell through an option contract with the original owner of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other covenants or warranties as to the Water Rights.

The Subject Water Rights are appurtenant to the real property described in Exhibit 1- 3 consisting of Water Right Reports for Water Right # 35-14046 & 35-14052 and legal description of land the Water Rights are appurtenant to. **No Land is included in this Deed.**

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor: _____

Dated: 9/25/12

By: _____

Exhibits:

Exhibit 1: Water Right Number 35-14046, 35-14052

Exhibit 2. Water Right Reports attached

Exhibit 3. Legals of portions of Water Rights included in The Agreement for Purchase and Sale of Water Rights are as shown on Exhibit 2 having already been transferred to the place of use indicated by the buyer in accordance with approved Transfer #78017. There are 105.0 Acres of Water included in this agreement that are appurtenant to the above land.

STATE OF IDAHO

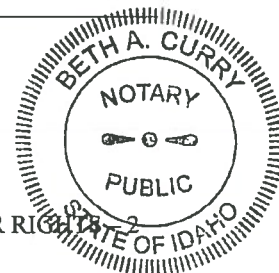
County of Power)
) S.
)

On this 25th day of Sept. 2012, before me the undersigned Notary Public in and for said state, personally appeared Del Kohtz and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

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

Beth A. Curry
Notary public for Idaho

My commission expires 8/12/2016 Residing at Anton, Id



SPECIAL WARRANTY DEED FOR WATER RIGHT

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/17/2012

WATER RIGHT NO. 35-14046

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135
Directors Report Owner	FARM CREDIT BANK OF SPOKANE 2225 W BROADWAY STE A IDAHO FALLS, ID 83402 (208)552-2300
Directors Report Owner	AG AMERICA FARM CREDIT BANK C/O FARM CREDIT SERVICES PO BOX 51598 IDAHO FALLS, ID 83405 (208)523-1066
Security Interest	RIDGEWAY HOLDINGS LLC C/O CAROL OLSEN 155 W STONERUN LN IDAHO FALLS, ID 83404

Priority Date: 10/31/1986
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.41 CFS	110.9 AFA
Total Diversion			0.41 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 27.7

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW/40			NWNW/40			SWNW/40			SENW/40	
				NESW/40			NWSW/40			SWSW/40			SESW/40	

Total Acres: 320

Conditions of Approval:

1. K09 This right is for an enlargement of 27.7 acres within the place of use described for this right.
2. X35 Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.
3. X35 Rights 35-14046, 35-14052 and 35-14046 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
4. 206 Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 182.5 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. R05 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. 120.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 214 Prior to the diversion and use of water under Transfer approval 78017, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. R64 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 lands above.
10. K02 This right is based upon an enlargement of Right No. 35-14052 pursuant to Section 42-1426, Idaho Code.
11. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
12. 004 This right does not grant any right-of-way or easement across the land of another.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 09/12/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 182.5

Combined Volume Limit: 730

Combined Rate Limit: 2.74

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/17/2012

WATER RIGHT NO. 35-14052

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135
Directors Report Owner	FARM CREDIT BANK OF SPOKANE 2225 W BROADWAY STE A IDAHO FALLS, ID 83402 (208)552-2300
Directors Report Owner	AG AMERICA FARM CREDIT BANK C/O FARM CREDIT SERVICES PO BOX 51598 IDAHO FALLS, ID 83405 (208)523-1066

Priority Date: 01/27/1976
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.55 CFS	309.1 AFA
Total Diversion			1.55 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 77.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW	40		NVNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40

Total Acres: 320

Conditions of Approval:

1. X27 This right is limited to the irrigation of 77.3 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.

3. X35 Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
4. 206 Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 182.5 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. R05 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. 120.
7. 214 Prior to the diversion and use of water under Transfer approval 78017, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. R64 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 lands above.
10. K01 Right No. 35-14046 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 09/12/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 182.5

Combined Volume Limit: 730

Combined Rate Limit: 2.74

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

When recorded return to:

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Co. LLC whose address is 1135 Valley Rd. So. Eden, ID. 83325 (Grantor) does hereby grant, bargain, sell, assign, and convey unto County Line Farms of PO Box 360, American Falls, Idaho 83211, State of Idaho (Grantee) and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the water rights or portions thereof described in Exhibits 1-3 attached hereto (collectively the "Water Right")

Grantor retains no residual or reversionary interest in the Water Right listed in the exhibits of the contract between Buyer and Seller.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner or has the right to sell through an option contract with the original owner of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other covenants or warranties as to the Water Rights.

The Subject Water Rights are appurtenant to the real property described in Exhibit 1- 3 consisting of a Water Right Report for Water Right # 35-14280 and legal description of land the Water Rights are appurtenant to. **No Land is included in this Deed.**

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor: [Signature]
Dated: 9/24/12 By: _____

Exhibits:

Exhibit 1: Water Right Number 35-14280

Exhibit 2. Water Right Report attached

Exhibit 3. Legals of portions of Water Rights included in The Agreement for Purchase and Sale of Water Rights are as shown on Exhibit 2 having already been transferred to the place of use indicated by the buyer in accordance with approved Transfer #78017. There are 77.5 Acres of Water included in this agreement that are appurtenant to the above land.

STATE OF IDAHO

County of Power)
) S.
)

On this 25th day of Sept, 2012, before me the undersigned Notary Public in and for said state, personally appeared Del Kohtz and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

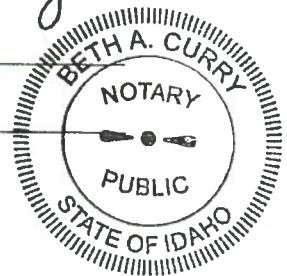
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Beth A. Curry

Notary public for Idaho

Residing at Arbon, Id

My commission expires 8/12/2016



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/17/2012

WATER RIGHT NO. 35-14280

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC 1135 VALLEY RD S EDEN, ID 83325 (208) 312-1135
Original Owner	PLACERTON INC , ID
Original Owner	EASTERN IDAHO PRODUCTION CREDIT ASSN 188 W JUDICIAL PO BOX 985 BLACKFOOT, ID 83221 (208)785-1510

Priority Date: 07/19/1973
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.19 CFS	310 AFA
Total Diversion			1.19 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 77.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW 40			NWNW 40			SWNW 40			SENW 40	
				NESW 40			NWSW 40			SWSW 40			SESW 40	

Total Acres: 320

Conditions of Approval:

1. X27 This right is limited to the irrigation of 77.5 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
3. 206 Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 182.5 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. R05 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. 120.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 78017, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 201 The combination of changes under: Transfer approval 78016 as described under right 25-14380 Transfer approval 78017 as described under right 35-14280 Transfer approval 78018 as described under right 25-14381 Transfer approval 78019 as described under right 25-14382 provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation. Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 78017.
9. R64 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 lands above.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 06/07/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 182.5

Combined Volume Limit: 730

Combined Rate Limit: 2.74

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

When recorded return to:

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Company of 1135 Valley Rd. So. Eden, ID 83325(Grantor) does hereby grant, bargain, sell, assign, and convey unto Monty and Carolene Funk of _____ State of Idaho (Grantee) and to Grantees heirs and assigns forever, all of Grantor's right title and interest in the portion of the water right described in Exhibit 1 and hereto (collectively the "Water Right").

Grantor retains no residual or reversionary interest in the Water Rights listed in the exhibits of the contract between Buyer and Seller.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) that Grantor is the owner or has the right to sell through an option contract with the original owner of the Water Rights;
- (B) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) that each of the Water Rights is free from all liens, claims, or encumbrances at closing
- (D) that Grantor has the authority to convey the Water Rights to Grantee;
- (E) the Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights.

Grantor makes no other covenants or warranties as to the Water Rights.

The Subject Water Rights are appurtenant to the real property described in Exhibit 1 consisting of a Water Right Report for Water Rights 35-14381 and 35-14382 and the legal description of land the Water Rights are appurtenant to. **No Land is included in this Deed. This deed is a substitute deed for one already provided for these Water Rights.**

IN WITNESS WHEREOF, the undersigned authorized officers of Grantor, acting on behalf of Grantor, have caused their names to be hereunto subscribed on the date shown by each name.

Grantor:

Idaho Water Company LLC by Delbert Kohtz

Dated:

Feb 6, 2015

By:

Delbert Kohtz

STATE OF IDAHO

County of

Cassia

) S.

On this 6 day of Feb, 2015, before me the undersigned Notary Public in and for said state, personally appeared Delbert Kohtz, Managing Member of Idaho Water Company LLC, and known or identified to me to be the persons whose name is subscribed to the within and foregoing instrument, and acknowledged to me that executed the same.

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

Notary public for

Wells Fargo Bank

Residing at

Cassia Idaho

My commission expires

June 05 2019



SPECIAL WARRANTY DEED FOR WATER RIGHTS - 2

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/29/2015

WATER RIGHT NO. 35-14381

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMS LLC C/O BRAD HALL PO BOX 50620 IDAHO FALLS, ID 83405-0560 (208)524-2532
Original Owner	WAREHOUSE INVESTMENTS C/O FRANKLIN ADAMSON GEN PART PO BOX 25 FIRTH, ID 83236 (208)346-6897

Priority Date: 08/18/1953
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.01 CFS	202 AFA
Total Diversion			1.01 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 50.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW 40			NWNW 40			SWNW 40			SENW 40	
				NESW 40			NWSW 40			SWSW 40			SESW 40	

Total Acres: 320

Conditions of Approval:

- X27 This right is limited to the irrigation of 50.5 acres within the authorized place of use in a single irrigation season.
- X35 Rights 35-14381 and 35-14382 when combined shall not exceed a total diversion rate of 1.01 cfs, a total annual maximum diversion volume of 310.0 af at the field headgate, and the irrigation of 77.5 acres.
- 206 Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 260.0 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 260.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the

- department. Before changing the 260.0 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. R05 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. 120.
 5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
 6. 214 Prior to the diversion and use of water under Transfer approval 79217, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 8. R64 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.
The combination of changes under Transfer approvals: 79213 as described under rights 25-14405 and 25-14406 79215 as described under rights 29-14106 and 29-14107 79217 as described under rights 35-14381 and 35-14382 79218 as described under rights 27-12265 and 27-12266 provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation. Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 79217.
 10. 004 This right does not grant any right-of-way or easement across the land of another.
 11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/29/2015

WATER RIGHT NO. 35-14382

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARMS LLC C/O BRAD HALL PO BOX 50620 IDAHO FALLS, ID 83405-0560 (208)524-2532
Original Owner	ZANE A HANSEN 69 S 1200 W BLACKFOOT, ID 83221 (208)684-3079
Original Owner	WAREHOUSE INVESTMENTS C/O FRANKLIN ADAMSON GEN PART PO BOX 25 FIRTH, ID 83236 (208)346-6897

Priority Date: 12/03/1980
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.66 CFS	131.6 AFA
Total Diversion			0.66 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESENW|Sec. 12|Township 06S|Range 29E|POWER County

IRRIGATION Use:
Acre Limit: 32.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	29E	12		NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	40		SWSW	40		SESW	40

Total Acres: 320

Conditions of Approval:

1. |X27|This right is limited to the irrigation of 32.9 acres within the authorized place of use in a single irrigation season.

2. X35 Rights 35-14381 and 35-14382 when combined shall not exceed a total diversion rate of 1.01 cfs, a total annual maximum diversion volume of 310.0 af at the field headgate, and the irrigation of 77.5 acres.
Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 260.0 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 260.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 260.0 acres to be irrigated within the 320.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
3. 206 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. 120.
4. R05 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. R02 Prior to the diversion and use of water under Transfer approval 79217, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 214 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 213 The combination of changes under Transfer approvals: 79213 as described under rights 25-14405 and 25-14406 79215 as described under rights 29-14106 and 29-14107 79217 as described under rights 35-14381 and 35-14382 79218 as described under rights 27-12265 and 27-12266 provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation. Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 79217.
8. 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.
9. R64 This right does not grant any right-of-way or easement across the land of another.
10. 004 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. T07 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T08 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.
13. T19

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust: T

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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